

## The Anti-Jewish Bookcase at the Time of Benedict XIII. André Dias de Escobar's Unedited Treatise *De publicatione haeresum* (ca. 1417) and Its Talmudic Sources

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**ABSTRACT:** André Dias de Escobar (c. 1357-1448) was a central figure in the history of the Church during the fifteenth century. While his life in the service of various popes reflects the turmoil of the Western Schism, his works and his engagement – as a participant and a theoretician – in the major councils of his day clearly express his determination to contribute to a reform of the Church. This article focuses on a neglected work of his, to wit, the anti-Jewish treatise *De publicatione haeresum contentarum in Talmud*, which André wrote after spending time at the court of the (anti) pope Benedict XIII in Tortosa (1414). During his sojourn, André attended the last sessions of the so-called Disputation of Tortosa, a Christian-Jewish debate on the Talmud convened by Benedict XIII. As we show by means of philological analysis, *De publicatione*, which has not yet been edited, turns out to be something of a treasure trove for scholars of anti-Talmudic Christian polemic literature. Compiling a wide range of both known and unknown sources, it seems to draw to a large extent on Pope Benedict's rich anti-heretical and, more specifically, anti-Jewish library. The article thus contributes to our understanding of the textual and doctrinal context of one of the major anti-Jewish disputations of the Middle Ages, while it also sheds new light on the history of Benedict's anti-heretical library.

**KEYWORDS:** anti-Jewish polemic; Talmud translations; Petrus Alfonsi; Ramon Martí; Jerónimo de Santa Fe; Benedict XIII.

**TÍTULO TRADUCIDO:** La biblioteca antijudía en tiempos de Benedicto XIII. El tratado inédito *De publicatione haeresum* (ca. 1417) de André Dias de Escobar y sus fuentes talmúdicas.

**RESUMEN:** André Dias de Escobar (c. 1357-1448) fue una figura central en la historia de la iglesia durante el siglo xv. Mientras que su vida al servicio de varios papas refleja la agitación del Cisma de Occidente, sus obras y su participación –como asistente y teórico– en los principales concilios de su época expresan claramente su determinación de contribuir a una reforma de la Iglesia. Este artículo se centra en una obra suya ignorada, a saber, el tratado antijudío *De publicatione haeresum contentarum in Talmud*, que André escribió después de pasar un tiempo en la corte del (anti)papa Benedicto XIII en Tortosa (1414). Durante su estancia, André asistió a las últimas sesiones de la llamada Disputa de Tortosa, un debate cristiano-judío sobre el Talmud convocado por Benedicto XIII. Como mostramos a través de un análisis filológico, el tratado *De publicatione*, que permanece inédito, resulta de especial interés para los estudiosos de la literatura polémica cristiana antitalmúdica. Compilando una amplia gama de fuentes tanto conocidas como hasta ahora

desconocidas, la obra de André retrata la rica biblioteca antiherética y, más específicamente, antijudía del papa Benedicto. De esta suerte, el presente artículo contribuye a nuestra comprensión del contexto textual y doctrinal de una de las principales disputas antijudías de la Edad Media, al mismo tiempo que arroja nueva luz sobre la historia de la biblioteca antiherética de Benedicto.

PALABRAS CLAVE: polémica antijudía; traducciones del Talmud; Pedro Alfonso; Ramon Martí; Jerónimo de Santa Fe; Benedicto XIII.

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When in the thirteenth century Christians became aware of rabbinic literature, and particularly of the Talmud, several disputations were staged either to accuse the Talmud of blasphemy (Paris 1240) or to use Talmudic and other rabbinic lore to prove the Christian faith (Barcelona 1263 and Paris 1269). The Tortosa disputation, convened by the Avignon Pope Benedict XIII, was not only the last of these proceedings but also the longest. Spanning more than two years – whereas the other disputations lasted only a few days – it resulted in an impressive quantity of anti-Jewish polemical texts in Hebrew, Latin and vernacular.

First, Joshua Lorki, the Christian protagonist of the Tortosa events, who after his conversion in the year 1411 took the name of Jerónimo de Santa Fe and became Benedict's physician, produced two treatises that laid the groundwork for the controversy. During the preliminary phase of the disputation in August 1412, Benedict XIII pitted Jerónimo against a group of rabbis convened in Tortosa for him to present Talmudic proofs for the coming of the Messiah in the person of Jesus of Nazareth. As the Jews refused to respond immediately, and instead asked for more time to deliberate, Benedict requested that Jerónimo put his arguments into written form and submit them to the rabbis for their consideration. As a result of this, Jerónimo drafted a text which was originally titled *Ha-Ma'amar* and which has come down to us in contemporary Aragonese and Latin versions: the *Tratado* or *Tractatus primus*.<sup>1</sup> Subsequently, on December 8, 1412, rabbis from numerous Jewish communities were again summoned to Tortosa to participate in the second phase of the disputation: over more than sixty sessions, which lasted from February 7, 1413, until November 13, 1414, they engaged in discussions with a handful of Christians, led by Jerónimo de Santa Fe. Once again, Jerónimo was asked to prepare a written summary of his arguments, which has been preserved both in Aragonese and Latin: the *Errores y falsedades del Talmud* or *Tractatus secundus*.<sup>2</sup> To Jerónimo's writings one must add the various reports of the Tortosa disputation: two Hebrew protocols summarize the first sessions only, while the Latin account and its Aragonese version cover the entire second phase.<sup>3</sup> The disputation ended with the promulgation of Benedict XIII's bull *Etsi doctoris gentium* on May 11, 1415, which condemned the Talmud as a blasphemous

<sup>1</sup> Fragments of the Hebrew version have been edited by Valle Rodríguez (2017, 2018, 2019b and 2020). For the Aragonese version, see Jerónimo de Santa Fe (2013); for the Latin one, Jerónimo de Santa Fe (1677a).

<sup>2</sup> For the Aragonese version, see Jerónimo de Santa Fe (2006); for the Latin one, Jerónimo de Santa Fe (1677b). The Talmud quotations in the latter have been edited and studied in detail by Orfali (1987).

<sup>3</sup> See the edition in three volumes by Del Vallle Rodríguez (2021). The first volume contains the Latin report, the second the Aragonese version and the third the two partial Hebrew accounts, which are accompanied by Spanish translations. Partial English translations of the Latin and Hebrew accounts can be consulted in Maccoby (1993, 168-215). For a full translation of both Hebrew accounts into Catalan, see Riera i Sans (1974).

mous and heretical work and strictly forbade its possession along with its private and public use (Orfali 1998, 132-136).

Thanks to the efforts of Moisés Orfali and Carlos del Valle Rodríguez, most of these texts have been made available in thorough editions. One text, however, which is closely related to the Tortosa disputation, remains unedited to this day: to wit, André Dias de Escobar's *Tractatus de publicatione haeresum, vanitatum et abusorum contentarum in libro Talmud quas iudaei credunt et tenent contra Christum Iesum et fidem propter quae merito tales libri essent cremandi*. Currently, we are preparing the critical edition of this text, which was written around the year 1417. The first to point out the significance of the treatise was Chen Merchavia (1970), who transcribed an important passage of the text in which André provides an eyewitness account of the last sessions of the Tortosa disputation, along with André's report on an anti-Talmudic procedure in Chambéry.<sup>4</sup> Chen Merchavia noted that the work draws strongly on Talmudic proof texts, which he attributed to André's direct contact with participants in the Tortosa disputation, in particular the later Bishop of Barcelona Andreu Bertran.

While such contacts are very likely, the following examination of *De publicatione* reveals that not only is the work indebted to the anti-Jewish discourse surrounding the Tortosa events but it forms part of a much broader anti-rabbinic tradition, building on Petrus Alfonsi's *Dialogus*, the so-called *Extractiones de Talmud* and Ramon Martí's *Pugio fidei*, along with other identified (and also unidentified) Latin translations of Jewish texts. Striking coincidences between André's sources and the anti-Jewish books in Benedict's library suggest that André could have become acquainted with these texts at the papal court in Peñíscola. The comparison of Benedict's and André's texts not only allows us to trace André's sources, but also offers us the opportunity to propose identifications for anti-Jewish books in Benedict's library inventories which have not been pinned down so far. At the same time, André's case offers evidence that the earlier anti-Talmudic tradition, represented by works such as the *Extractiones* or the *Pugio fidei*, informed the Disputation of Tortosa. Although Jerónimo de Santa Fe did not quote these texts openly during the disputation, preferring instead to offer his own translations of Talmudic material contained in them, they must have served as background reading for more participants in the Tortosa disputation, and not just for André.

In what follows, we first introduce *De publicatione*, focusing on its structure and core argument in the context of the Disputation of Tortosa. Secondly, we present literal parallelisms between André's treatise and the works produced as part of the Disputation of Tortosa. Thirdly, we conduct detailed philological comparisons with other anti-Jewish and, more specifically, anti-rabbinic works from the 13<sup>th</sup> century: to determine the principal sources of André's treatise but also to acknowledge Talmudic material that cannot be attributed to any Latin source we currently know of. Finally, we discuss our findings in the light of Benedict's anti-heretical library in Peñíscola, which contained a fair amount of relevant anti-Jewish writings that shed light on both André's treatise and the doctrinal background of the Disputation of Tortosa.

## THE *DE PUBLICATIONE* AND ITS KEY ARGUMENT

When André arrived in Tortosa in the fall of 1414, the Portuguese cleric was already in his fifties.<sup>5</sup> Born in Lisbon in c. 1357, he studied in Vienna and became Bishop of Ciudad Rodrigo in Spain in 1408. Before joining Benedict, André had been in the service of several popes, namely Gre-

<sup>4</sup> The passages of *De publicatione* concerning the Disputation of Tortosa were edited again (and translated into Spanish) by Valle Rodríguez (2019a, also 2021, vol. I, 131-150). – On the anti-Talmudic procedure in Chambéry, see Bardelle (1998, 265-284).

<sup>5</sup> The classic study on André is still Costa (1967). In recent years, André's life and works have received renewed attention: see, e.g., the following two PhD theses: Sturgeon (2017) and Uhryn (2022).

gory XII, Alexander V and John XXIII. On October 1, 1414, Benedict named him the Titular Bishop of Tabor in Palestine, one of the many honours he accumulated during his ecclesiastical career (becoming Bishop of Ajaccio, Corsica, in 1422 and of Megara, Greece, in 1428). In the course of his life, André attended almost all the general councils of his day: that is, Cividale, Pisa, Constance, Basel and Ferrara-Florence. Except for *De publicatione*, almost all works by André were printed and confirm his reputation as a committed participant in and theoretician of the councils, especially the council of Basel.<sup>6</sup>

The Disputation of Tortosa, which was concluded on November 13, 1414, in Sant Mateu, clearly made a deep impression on André. While in his other works he only dealt in passing with Judaism,<sup>7</sup> *De publicatione* is dedicated in its entirety to the refutation of rabbinic teachings. The overarching theme of the treatise, which André occasionally refers to as a sermon, is provided by Psalm 5:10: “Quoniam non est in ore eorum veritas; cor eorum vanum est / For there is no truth in their mouth; their heart is vain.” As Johnna L. Sturgeon notes in her careful presentation of the work, this *thema* is key to understanding the complex – and sometimes puzzling – structure of the work, which in all likelihood was not revised by its author (Sturgeon 2017, 132-163). Thus, from Psalm 5:10, André infers two reasons why Jews should be avoided:

‘Quoniam non est in ore eorum veritas’ etc. (Ps. 5:10) In quibus quidem verbis breviter duo notantur propter quae merito iudaeorum conversatio et participatio evitatur. Primum est quia in verbo ipsorum iudaeorum et in ore ipsorum nulla est veritas divina nec humana. Secundum est quia in facto ipsorum iudaeorum et in lege Talmud ipsorum credunt et adserunt contra Christum multa haeretica, falsa et vana (MS Erlangen, Universitätsbibliothek, 542, fol. 87r).

In André’s interpretation of Psalm 5:10, Jews must be excluded from the community of Christians: firstly, because their words contain no truth, neither human nor divine; and secondly, because the doctrines contained in the Talmud must be considered false and heretical with a view to Jesus Christ and his religion. The second of these two points is at the core of *De publicatione*, which proposes tackling the purportedly heretical nature of the Talmud in three steps:

Unde in hoc sermone sunt tria facienda: Primo determinabitur fundamentum seu origo, unde processit liber Talmud, et declarabuntur vocabula librorum suorum. Secundo dicetur modus qualis debet teneri quando cum iudaeo per Talmud auctoritates ad convincendum eum vult disputare christianus. Tertio declarabuntur haereses, vanitates et errores ac abusiones quas dicunt, credunt et adserunt contra legem naturae et rationem naturalem in libris nefandis Talmud ipsi perfidi et haeretici iudaei Christi inimici (MS Erlangen, Universitätsbibliothek, 542, fol. 93v).

Following this threefold division of the rebuttal of the Talmud, André’s treatise first offers an introduction to the Talmud and its parts; he then advises on how to approach Jews in a disputation, and finally offers manifold examples of alleged Talmudic heresies. Among these three parts, the second is particularly relevant for André’s project, as it lays the theoretical (and practical) foundation for Christian-Jewish polemic, which is carefully developed across folios 101v-112v of the Erlangen manuscript. Before engaging in a disputation with a Jew, André states that a twofold question must be put to the Jewish interlocutor, namely:

<sup>6</sup> Recently, Thomas Prügl rediscovered André’s hitherto unprinted treatise *De civitate ecclesiastica*. See Prügl (2024).

<sup>7</sup> See, e.g., André Dias de Escobar’s *Laudes e cantigas espirituais*, where he polemicizes against the “cães judeus,” the “Jewish hounds” (Escobar 1951, 148-152 and 175-178). In this context, it is worth mentioning that in *De publicatione* André refers to a future work in which he pretends to address the “Jewish blindness” in more detail: “Quinque enim sunt caecitates vestrae, o iudaei, quas in alio tractatu latius declarabo.” Here and in what follows, all quotations from André’s *De publicatione* follow MS Erlangen, Universitätsbibliothek, 542, fol. 84r-154v, here 99v.

Prima est utrum credat omnia et singula contenta in libris Talmud et in glossis suis esse vera et dicta a Dei ore quod Deus mentiri non potest.

Secunda quaestio erit, dato quod dicat ea esse vera, utrum habent aliam significationem vel sensum mysticum seu spirituales quam illum quem habent sicut iacent et sonant aut si aliter exponantur (MS Erlangen, Universitätsbibliothek, 542, fol. 102r).

From a systematic point of view, these questions – and the answers thereto – are indeed critical for André's strategy in *De publicatione*: that is, compiling hundreds of Talmudic passages and decrying them as blasphemous and heretical. Such a strategy can only be effective if the Jews commit themselves to these passages. André's response to the first question is, therefore, unsurprisingly straightforward:

Tu scis quod quaecumque Deus dixit illa sunt vera [...], sed Deus dixit quaecumque sunt scripta in Talmud etiam si sint duae opiniones contrariae duorum rabinorum. Ergo illae duae contradictoriae opiniones sunt verae. Maior etiam est nota de se et adprobata per omnes leges tam fidelium et infidelium. Minor vero probatur multipliciter per vestrum Talmud (MS Erlangen, Universitätsbibliothek, 542, fol. 102r).

Interestingly, André uses a formal syllogism to reply to the first of the two questions he raises: If God speaks the truth and God is the author of all propositions that are contained in the Talmud, then all propositions in the Talmud must be considered true. Regarding the second question raised by André, namely the possibility of a figurative interpretation of certain Talmudic passages, he claims that the Jews' interpretation of their fundamental texts is all but figurative, as they generally stick to literal readings of their sacred texts, which he criticises as insufficient.<sup>8</sup>

Since the time of the Disputation of Barcelona (1263), the extent of Talmudic authority had been controversial, as Christians usually argued with haggadic passages from the Talmud and Midrashic materials which the rabbis did not accept as compelling sources. The rabbis' refusal of course undermined the Christian strategy of using the Talmudic proof texts as authoritative reasons for their argument.<sup>9</sup> The discussion of this question was also central to the Disputation of Tortosa. It was brought to the floor more than once, for example in Session 24 on May 17, 1413 (Valle Rodríguez 2021, vol. I, 329 [Latin], vol. II, 1012 [Aragonese]), before receiving a magisterial discussion in Session 54, on February 17, 1414. To Jerónimo's claim that the Talmud enjoys unquestionable authority among the Jews, the latter reply:

... hoc solum intelligi in parte illa libri seu codicis Talmud nominati, que est declaracio mandatorum legis [...] Sermones uero nec anunciaciones *haggadot* vocate [...] in legem oris minime includantur nec ueniant per Dei tradicionem Moysi (Valle Rodríguez 2021, vol. I, 641).<sup>10</sup>

Jerónimo replies to this at length, before summarizing his argument, as he often does, in the form of a classical syllogism:

Quidquid dixerunt rabini, est lex oris  
Set *haggadot* per me allegatae sunt dicte per rabinos talmudicos.

<sup>8</sup> See MS Erlangen, Universitätsbibliothek, 542, fol. 111v: "Si ergo textum Bibliae litteraliter prout iacet docetis et creditis, multo magis glossam Bibliae sicut est totum Talmud debetis prout iacet litteraliter intelligere et non aliter sapere nec credere aut tenere nec per frivolas expositiones et glossas particulares et proprio capite factas declarare nec aliter vestri sapientes ea exposuerunt nisi ut iacent nec alium sensum eis umquam usque modo dederunt exterius quam illum quem habent interius."

<sup>9</sup> See the Latin and the Hebrew accounts of the Barcelona disputation in Tostado Martín (2009, 171, 173 [Hebrew], 297 [Latin]).

<sup>10</sup> For the Aragonese version, see Valle Rodríguez (2021, vol. II, 1376).



Ergo *haggadot* sunt lex oris.

Maior probata est per rabi Osua. Minor est manifesta et patet per oculum per libros. Igitur sequitur conclusio (Valle Rodríguez 2021, vol. I, 644).<sup>11</sup>

In other words, if whatever the rabbis of the Talmud say is God's oral law, and the haggadic passages of the Talmud are uttered by those rabbis, then these passages are necessarily part of God's oral law and as such they must be believed.

While in André's syllogism the agent is not the rabbis but God himself, he arrives at the same conclusion as Jerónimo. Hence, not only the topic – that is, the disputed nature of Talmudic authority – but also André's syllogistic solution of the question both clearly resonate with one of the central themes of the Disputation of Tortosa, which theme reflects, in turn, one of the major challenges of medieval Talmud disputations.

#### *DE PUBLICATIONE AND THE TORTOSA CORPUS*

Once the invariable authority of the Talmud and its literal sense are established, the way is paved for André to present proof texts from the Talmud:<sup>12</sup> he does so to blame the Talmud for being blasphemous, and even heretical, but also to extract from it arguments in support of Christian faith. Among the contemporaneous sources of André's Talmud quotations, one can unmistakably identify Jerónimo de Santa Fe's two treatises: the *Tratado* and the *Errores y falsedades del Talmud*. One example for each may suffice to substantiate this claim, which receives additional support from many other passages in *De publicatione*.

Our first case in point is provided by a passage from Yoma 21a, which states that 40 years before the destruction of the Second Temple in Jerusalem the priests lost their capacity to perform miracles. This passage was used in anti-Jewish literature to support the claim that Jesus was the Messiah, for as he abrogated the Old Law, the capacity to perform miracles became his prerogative. In this context, André lists the ten miracles that were performed until the time of Jesus in the Temple as follows:

Ut enim dicunt magistri in Talmud in libro qui dicitur *Yoma* in capitulo quod incipit 'septem dies': Decem miracula erant in domo sancta, scilicet: Mulier nunquam abortivit in templo propter odorem carnum sanctarum quae in templo sacrificabantur et cremabantur, et caro sancta vel quae sacrificabatur nunquam foetuit vel foetebat quantumcumque etiam per multos dies in templo staret, et quantumcumque ibi essent carnes mortuae, nunquam tamen musca aparuit in templo. Item nunquam fuit auditum quod aliquis sacerdotum pateretur aliquam pollutionem in die maiori indulgentiarum de die nec de nocte. [...] Item nunquam fuit sufficiens pluvia ad extinguendum ignem altaris. Item nunquam fuerunt venti sufficientes ad obliquandum sive spargendum pilare seu columnam fumi qui ascendeat a dextris altaris. Et dixit Rabbi Abaya quod frustra vasorum terrae ac urteorum quae rumpebantur in templo convertebantur in locum suum proprium, id est in terram de qua facta erant. Et dixit Rabbi Abaya plus quod guttura avium sacrificiorum et pennae ac cineres altaris incensi et cineres luminarium omnia haec convertebantur in locum suum. Et omnia haec cessaverunt in passione Christi ante quadraginta annos a destructione templi, ita ut omnes dicerent: 'Signa nostra non vidimus iam non est propheta et nos non cognoscet scilicet Deus amplius' (Ps. 73:9) (MS Erlangen, Universitätsbibliothek, 542, fol. 89v).

<sup>11</sup> For the Aragonese version, see Valle Rodríguez (2021, vol. II, 1378).

<sup>12</sup> Mostly from the Babylonian Talmud. The Yerushalmi is very rarely quoted (through the *Pugio fidei*).

This passage closely follows the rendering of Yoma 21a in Jerónimo de Santa Fe's *Tratado*, which provides the following text:

Dize en el libro de *Yoma* en el capítulo que conmiença 'siete dias'. Leen los maestros diez miraglos e eran fechos en la Casa santa: Non abortó ninguna mugier de la olor de la carne sancta, e non fedía la carne santa en ningund tiempo, e nunca paresció mosca en el Templo, e nunca acaesció polución al Sacerdote Mayor en el día de los perdones, [...], e nunca fue bastante lluvia a matar el fuego del altar, e nunca fueron bastantes vientos a tozar el pilar del fummo que subía derecho del altar. E dixo Rav Samaya: e aún más que los pedaços de baxillos de tierra, que se quebrantavan en el Templo, se fundían en su lugar mesmo. E dize Abaye: e aún los papos de las aves de los sacrificios e las plumas e la çeniza del altar del ençienso e la çeniza de la luminaria, todos se fundían en su lugar mismo. E todo çessó quarenta años antes de la destruyçión del Templo, como es scripto: 'Signa nostra non vidimus, non est ultra propheta, nec apud nos est sciens usquequo', salmista, psalmus lxxiii (Jerónimo de Santa Fe 2013, 37-39).

While Yoma 21a had already been translated into Latin in the thirteenth century by Ramon Martí in his *Pugio fidei* II, 8, 19, André's rendering does not draw on this earlier translation, which offers a very different wording: e.g. the priest's seminal emission is here translated less explicitly as "accidens in die propitiationum" (that is, Yom Kippur) against André's and Jerónimo's "pollutio in die maiori indulgentiarum/polución en el día de los perdones." In addition, the *Pugio* does not cover the whole section quoted by André, as the reference to rabbi Abaye is missing (Martini 1687/1967, 371). It is therefore rather clear that André was drawing on Jerónimo's text, which he expanded, adding bits and pieces that he deemed helpful for the understanding of the text.<sup>13</sup> Some doublets in André's text indicate that his rendering is itself a translation, and that André was drawing on the Aragonese version of the *Tratado* rather than on the Latin one: e.g. *obliquare/spargere* and *pilare/columna* in the phrase "numquam fuerunt venti sufficientes ad obliquandum sive spargendum pilare seu columnam" for the Aragonese "nunca fueron bastantes vientos a tozar el pilar del fummo," where the Latin *Tractatus primus* simply has "neque ventus fumi columnam ne ascenderet impedivit" (Jerónimo de Santa Fe 1677a, 534A). These doublets are clear signs of translation of the Aragonese "to(r)zar" and "pilar." While most of the characteristic expressions shared by André's *De publicatione* and Jerónimo's *Tratado* also appear in the rendering of Yoma 21a that is included in the Aragonese report of the Disputation of Tortosa, the latter omits, like Ramon Martí, the reference to Abaye, thus corroborating the claim that the *Tratado* was André's source (Valle Rodríguez 2021, vol. II, 966).

Our second case in point is related to the question of whether God can release himself from an oath. As the Talmud seems to deny this, it was suspicious of limiting God's freedom and omnipotence. This recurrent criticism was brought up first in the Thirty-Five Articles against the Talmud, a list of Latin fragments of the Talmud submitted by Nicholas Donin in 1238/9 to Pope Gregory IX which triggered the Talmud trial of Paris in the 1240s. Key to this controversy was a passage from Bava Batra 73b-74a, rendered by André as follows:

Quarta conclusio haeretica quam dicitis est quod Deus non potest se ipsum absolvere a iuramento quod facit [...] Probatur conclusio per illud quod scribitur in Talmud in *Bauabathra* capitulo quod incipit *hamahel hacheephina*, ubi dicitur quod Rabi filius Naaman ibat per viam suam et dixit sibi unus viator: 'Veni huc et monstrabo tibi montem Sinai.' Ivit cum eo et audivit unam vocem quae dicebat: 'O miser, heu mihi quod feci iuramentum et ex quo illud feci, quis me absolvit?' Et postquam rediit ad studium et hoc magistris renuntiavit, reprehendentes multum eum dixerunt: 'Hora qua audivisti illam vocem debuisses dixisse: 'Domine, ego absolvo te a iuramento.' Et ipse eis respondit: 'Dubi-

<sup>13</sup> For instance, the repeated explanation of "caro sancta" in terms of animal sacrifice, as well as other phrases which are occasionally marked with "vel."

tavi quod propter iuramentum quod fecit Noe de non ducendo diluvium super terram amplius quod propter hoc dicebat.’ Sed glossa rabi Salomonis dicit ibi quod illud iuramentum a quo Deus petebat absolutionem erat captivitas Israhel, de qua captivitate et labore ipse sustinebat partem suam (MS Erlangen, Universitätsbibliothek, 542, fol. 117v-118r).

This is a literal translation of the following passage of Jerónimo de Santa Fe’s *Errores y falsedades del Talmud*:

Item dizen en *Baba Batra* (MS: *Rraba baçera*), en el capítulo que comiença *hammo[quer] e[t] hacefina* que Rabbá, fijo de Bar Hana, iva por camino e díxole un traginero: ‘Ven acá e mostrarte he el monte de Sinaí.’ Fue con él e oyó allí una boz que dezía: ‘O mesquino, guay de mi que fize jura e pues que la fiz, ¿quién me absolverá?’ E desque tornó a estudio e lo racontó a los maestros, reptáronlo e dixiéronle: ‘La hora que oíste aquella boz devieras dezir: Señor, yo te absuelvo la jura.’ Dizó él: ‘Dubdème que lo dezía por la jura que fizo a Noé de non traer más diluvio al mundo.’ E glosó Rabí Salomón que aquesta jura de que demandava Dios absolución era la captividad de Israel, de la qual cosa él sufría su parte de la captividad e del trabajo (Jerónimo de Santa Fe 2006, 113-114).

While the same passage is also contained in Donin’s Thirty-Five Articles as well as in the *Extractiones de Talmud* – a comprehensive Latin translation prepared during the Paris trial against the Talmud of the 1240s – there can be no doubt that André follows Jerónimo de Santa Fe’s rendering. Many verbal coincidences prove this point. Compare, for instance: “Et postquam rediit ad studium et hoc magistris renuntiavit, reprehendentes multum eum dixerunt” (André) and “E desque tornó a estudio e lo racontó a los maestros, reptáronlo e dixiéronle” (Jerónimo’s *Errores y falsedades*) against “Cumque venissem coram magistris, dixerunt mihi” (Donin)<sup>14</sup> and “Quando veni coram magistris et retuli eis, dixerunt mihi” (*Extractiones*).<sup>15</sup> Likewise, differences must be noted with regard to the rendering of this passage in the Latin version of Jerónimo’s *Errores y falsedades*, namely regarding the wording of Rashi’s gloss,<sup>16</sup> as well as in the Latin and the Aragonese report of the Disputation of Tortosa, the latter of which omit the reference to Rashi found in André’s *De publicatione* and Jerónimo’s Aragonese *Errores y falsedades*.<sup>17</sup> Apparent differences regarding the spelling of Hebrew names and book titles in both texts, such as *Bauabathra* vs. *Rraba baçera*, cannot be counted as evidence against the close relationship of both texts, rather they reflect scribal errors in the manuscript transmission.<sup>18</sup>

From other passages we can infer that André consulted Jerónimo’s two treatises and that he likewise had access to the official reports of the Disputation of Tortosa. Not only does he comment as an eyewitness on the last sessions of the disputation, as already noted, but also, at the same time, one finds in *De publicatione* rather clear references to the content discussed in earlier sessions of the disputation that go back to the written records of the disputation. Thus, in one place

<sup>14</sup> See the edition of Donin’s Thirty-Five Articles in Capelli (2019, 47).

<sup>15</sup> See Anonymous (2018, 209).

<sup>16</sup> Compare André’s “illud iuramentum a quo Deus petebat absolutionem erat captivitas Israhel, de qua captivitate et labore ipse sustinebat partem suam” and the Aragonese version of Jerónimo’s *Errores y falsedades*: “que aquesta jura de que demandava Dios absolución era la captividad de Israel, de la qual cosa él sufría su parte de la captividad e del trabajo” against the latter’s Latin version “quod hoc iuramentum de quo Deus capiebat partem laboris eorum, ideo est tribulatus” (Jerónimo de Santa Fe 1677b, 548A-B).

<sup>17</sup> See Valle Rodríguez (2021, vol. I, 777 [Latin], vol. II, 1508 [Aragonese]).

<sup>18</sup> Of course, these variants will have to be taken into account to establish the critical edition of André’s *De publicatione*. In all likelihood, the full collation of these terms in all manuscripts of *De publicatione* will allow us to give an even more precise account of André’s sources, enabling us to identify specific manuscripts that may have served as his *Vorlage*.



André refers to the Talmudic demon Ben Tamalion as the figure that reinstalled circumcision and the Sabbath after these had been abolished by Jesus (and the Roman Empire):

Sed est eis data circumcisio et sabbati observatio postea per quemdam diabolum eorum procuratorem nomine Necadum Ben-Tamalion ut notatur in libro Talmud nomine *Meghella*, capitulo quod incipit *eodse mysbaha*, ubi dicitur quod una vice regnum malum, id est Roma, sententiavit quod iudaei nec sabbata custodirent nec filios suos circumciderent, nec lex menstruorum servaretur, et hoc fuit confirmatum per Adrianum imperatorem qui tunc erat (MS Erlangen, Universitätsbibliothek, 542, fol. 90v).

The passage is undoubtedly a translation of the Aragonese report of Session 25 of the Disputation of Tortosa (May 19, 1413):

E el judío mantiene la Ley que fue adquirida e rrefirmada por mano del diablo, llamado Ben-tamalion, segunt paresçe en el Talmud, en el libro llamado Mehelta, que comiença *quese midbra* do dize así: una vegada sentenció el rregno malo, id est Rroma, que non guardasen los judíos el sábado e que non circuncidasen sus fiios e que non se guardasen de las mugeres mestruosas (Valle Rodríguez 2021, vol. II, 1025-1026).

While scattered references to Ben Tamalion and Meilah 17b occur in Ramon Martí's *Pugio fidei* (Martini 1687/1967, 323, 329, 364 and *passim*), the phraseological and lexical proximity between André's text and that of Jerónimo ("una vice sententiavit/una vegada sentenció...") leaves little room for doubt that the former of these depends on the latter. Neither does the corresponding text in the Latin account of the Disputation of Tortosa yield the same lexical features (e.g. "semel sententiavit" instead of "una vice...") (Valle Rodríguez 2021, vol. I, 344).

Along with numerous other examples that could be added, the passages we have zoomed in on provide robust evidence that André had access to all relevant documents produced in the context of the Disputation of Tortosa: that is, the *Tratado*, the *Errores y falsedades del Talmud* and the report of the disputation; interestingly, he seems to have read these texts in Aragonese rather than in the Latin versions. This confirms the relevance of the vernacular tradition of the Tortosa corpus that has been noted recently in another context (Fidora 2024).

#### FURTHER TALMUDIC SOURCES IN THE *DE PUBLICATIONE*

To *De publicatione*'s contemporaneous anti-Jewish sources one must add further texts which occupied a prominent place in the history of Christian polemic against the Talmud. The oldest such text is quoted by André with an explicit reference to its author: to wit, the *Dialogus* written between 1110-1130 by Petrus Alfonsi, whom André twice calls "Petrus Alfonsi noster Hispanus" (MS Erlangen, Universitätsbibliothek, 542, fol. 91r and 113v). This treatise was often employed in anti-Jewish polemics to denounce anthropomorphic descriptions of God in the Talmud, e.g. in Berakhot 7a, a passage which is also cited by André among other texts from the *Dialogus*: "doctores rabini dixerunt Deum habere formam, et corpus, brachia, et caput [...]" (MS Erlangen, Universitätsbibliothek, 542, fol. 113v).<sup>19</sup>

Yet Petrus Alfonsi is far from being the only source that André used from the anti-Jewish literature that preceded his age. The most important polemical works from which he drew his

<sup>19</sup> See the very beginning of the *Dialogus* in Petrus Alfonsi (2018, 20): "MOYSES: Inprimis itaque michi uolo ostendas ubi doctores nostri Deum corpus et formam habere dixerunt, et quomodo super hac re locuti fuerunt. PETRUS: Si nosse cupis ubi scriptum sit: in prima parte uestre doctrine cuius uocabulum est Benedictiones. Si igitur uis scire quomodo dixerunt Deum habere caput et brachia..."

Talmudic material are the dossier of the *Extractiones de Talmud* and Ramon Martí's *Pugio fidei*, which we have already referred to. The *Extractiones de Talmud*, that is, the first and most extensive Latin translation of the Babylonian Talmud, were prepared during the 1240s in Paris as part of the Talmud trial that led to its condemnatory sentence in 1248. They were transmitted at the core of an anti-Jewish dossier, which, in addition to the *Extractiones* (1), contained Nicholas Donin's Thirty-Five Articles against the Talmud (2), a Talmudic Anthology which was likewise prepared by Donin (3), translations from Rashi's commentaries on the Old Testament (4), translations of Jewish liturgical hymns (5), papal letters (6), etc. As we shall see, André's *De publicatione* features fragments from all these sections of the Latin Talmud dossier.

(1) In what follows we provide examples of André's use of each of these texts, starting with a passage from *De publicatione* that insists on the fundamental role of the Talmud for Jewish life, to the extent that two rabbis whose conversation is not centred around the Talmud should be burned:

Duo magistri sapientes qui vadunt per viam si non sunt inter eos verba Talmud digni sunt combustione (MS Erlangen, Universitätsbibliothek, 542, fol. 103v).

This text, which confirms the indispensable nature of the Talmud, is a literal quote from the *Extractiones de Talmud*, Sotah 49a, with only one minor difference, namely the replacement of the expression "verba legis" by the more explicit "verba Talmud":

Duo magistri sapientes qui vadunt per viam, si non sunt inter eos verba legis, digni sunt combustione (Anonymous 2018, 460).<sup>20</sup>

(2) Our second example refers to the Talmudic "heresy" according to which God cries three times a day:

Deus plorat quotidie super tres, id est super illum qui potest studere in lege eorum et non studet, et super eum qui non potest studere et studet, et super rectorem qui superbit in populo pro nihilo. Si ergo Deus plorat, miser est et corruptibilis ac alterabilis (MS Erlangen, Universitätsbibliothek, 542, fol. 120r).

This anthropopathic doctrine, which seems to contradict God's immutability, clearly corresponds to a translation of Hagigah 5b provided by Nicholas Donin in Article 25:

Super tres plorat Deus cotidie, super illum qui potest studere in lege et non studet, et super illum qui non potest studere et studet, et super rectorem qui superbit super populum pro nihilo (Ed. Capelli 2019, 51).<sup>21</sup>

(3) In another place, André denounces the carnal nature of certain Talmudic doctrines, namely the notion of a banquet for the righteous in the future to come (*Seudat Chiyat HaMatim*):

Quarta haeresis quam eadem ordinatione dicitis est in convivio quod Deus iustus in alio saeculo faciet. Dixit raby Hanyna quod in die, qua reddet Deus retributionem servo suo Isaac, Deus faciet magnum convivium. Postquam vero comederint et biberint, porrigent iusti scyphum vini Abrahae ad

<sup>20</sup> The original version of the *Extractiones de Talmud* gave way, only a few years after its composition, to a reworked version of the text. While the original version followed the order of the Talmudic treatises, the second version rearranged the translated materials thematically according to topics of controversy and incorporated other sections of the dossier into the text of the *Extractiones*. Consequently, the passage from Sotah 49a also appears in the thematic version of the *Extractiones*, without relevant textual changes. See Anonymous (2021, 37).

<sup>21</sup> Donin's Article 25 was integrated into the thematic version of the *Extractiones de Talmud*. In this case, however, the wording is slightly different from the original version, omitting the word "quotidie." See Anonymous (2021, 62).

benedicendum ei et dicentem: 'Accipe et benedic!' Ille autem respondebit: 'Non benedicam quoniam Ismahel de me egressus est.' Tunc dicent ad Isaac: 'Accipe et benedic!' Et ille respondebit: 'Non benedicam quoniam Esau de me exivit [...]' (MS Erlangen, Universitätsbibliothek, 542, fol. 125v).

This time, the text is taken from Donin's Anthology of Talmudic passages, and more specifically from his translation of Pesachim 119b:

Dicit rby Avyra [...]: Sanctus, benedictus sit ipse, Deus faciet in futuro iustis convivium in die qua reddet retributionem semini Isaac. Postquam comederint et biberint, porrigent scyphum Abrahae ad benedicendum et dicent ei: Accipe et benedic. At ille respondebit eis: Non benedicam, quoniam Ismahel ex me exivit. Dicent ad Isaac: Accipe et benedic. Qui respondebit: Non benedicam quoniam Esau de me exivit... (Ed. Cecini and de la Cruz 2019, 78).<sup>22</sup>

(4) Our fourth example refers once more to the alleged anthropomorphic character of rabbinic Judaism, and now in particular to God's having hands:

Sexto vos iudaei dicitis quod Deus habet manus. Probo per glossam rabi Salomonis super illud: 'Sanctuarium tuum, Domine, quod firmaverunt manus tuae' (Ex. 15:17). Ex hoc patet, dicit ipse, quod magis Deus diligit templum quam totum residuum mundi, quia templum tenet cum duabus manibus et hunc mundum cum una manu (MS Erlangen, Universitätsbibliothek, 542, fol. 114r).

The origin of this passage must be Rashi's commentary on Exodus 15:17, which is contained in the Latin Talmud dossier in the section dedicated to Rashi's Old Testament commentaries. Apparently, André abbreviates the text:

'Sanctuarium tuum, domine, quod firmauerunt manus tue' (Ex. 15:17). Glosa: templum quod est inferius directe est contra sedem, que est superius in celo, et ex hoc patet quod magis dilectum est a deo templum quam residuum mundi, fecit enim templum cum duabus manibus, et mundum cum vna (Ed. Hassellhoff 2017a, 162).<sup>23</sup>

(5) *De publicatione* also reproduces several anti-heretic prayers, or rather curses, which are part of Jewish liturgical hymns, the *qerovot*. During the Middle Ages, these curses were also applied to Christians, as in the following:

Et confirmatur ibidem contra populum christianum: 'O Deus, gentem tuam amabilem adfligit angustiator qui cogit eas conmutare spem suam in suspensio, id est in creato, gentes eorum, contrahe illos in pulverem, redige, dissipa, effunde sanguinem eorum in terra' (MS Erlangen, Universitätsbibliothek, 542, fol. 145r).

This clearly goes back to the *Liber krubot* of the Latin Talmud dossier, which gives the following texts:

Gentem tuam amabilem affligit angustiator qui distringit eos commutare spem suam in suspensio creato, dentes eorum in pulverem contere, erige desolatos et illos dissipa, effunde sanguinem eorum ad conculcandum in terra (Ed. Hassellhoff in Bekkum 2019, 211).<sup>24</sup>

<sup>22</sup> The passage is likewise contained in Anonymous (2021, 373).

<sup>23</sup> The passage is also contained in Anonymous (2021, 131-132).

<sup>24</sup> Again, the same passage is contained in the thematic version of the *Extractiones de Talmud*, yet it appears there in an abbreviated form that omits expressions which are contained in *De publicatione*, e.g. "effunde sanguinem eorum [ad conculcandum] in terra"; see Anonymous (2021, 48). "Gentes" in the Erlangen MS of *De publicatione* seems to be a scribal mistake for "dentes," which in turn refers to Ps. 57:7.

(6) Finally, one must mention that André refers to the papal letters sent in preparation for the Paris Talmud trial when summarizing in *De publicatione* the last session of the Disputation of Tortosa. According to André, two sealed papal bulls, by Gregory IX and Innocent IV, were read at the end of the disputation, and he claims to have seen these bulls personally at the papal court (“ego vidi in curia domini Benedicti XIII [...] litteras bullatas cum sigillis praedictorum Pontificum,” MS Erlangen, Universitätsbibliothek, 542, fol. 97r). Yet, when writing *De publicatione*, they were no longer at his disposal. What he had copied, however, so that he could now include it in *De publicatione*, was Gregory’s letter to the archbishops of France from 9 June 1239: “Copiam tamen unius bullae Gregorii IX habui cuius tenor sequitur” (MS Erlangen, Universitätsbibliothek, 542, fol. 97v). Given what has been said so far, it may not come as a surprise that this very letter also features in the Latin Talmud dossier along with other texts quoted by André.<sup>25</sup>

Closely related to example (5) from the Latin Talmud dossier is another passage in *De publicatione* which elaborates on the anti-heretical Jewish prayers, also known as *Birkat ha-minim*.<sup>26</sup> Here André quotes a lengthy anti-Christian invective made up of texts from the *Liber krubot* (= *qerovot*) of the Latin Talmud dossier.<sup>27</sup> However, these are not quoted from the *Liber krubot* directly but from the anonymous *Excerptum de Talmud*, a late thirteenth-century summary of the thematic version of the *Extractiones de Talmud*.<sup>28</sup> Another tract that summarizes material from the dossier is the so-called *Errores iudaeorum*, written during the 1240s by Thibaud de Sézanne O.P. and very popular in combination with another short anti-Jewish text called *Pharetra fidei*. The *Errores*, which expand on material from Donin’s Thirty-Five Articles and his Anthology, were also used by André.<sup>29</sup>

However, the influence of these latter two treatises on André seems to have been minor. Much more important for him was the second largest Latin Talmud corpus of the Middle Ages, which was provided by Ramon Martí in his *Pugio fidei* (c. 1280). Like the *Extractiones* and their dossier, the *Pugio* is very present throughout the pages of André’s *De publicatione*. One example, again on Talmudic anthropathism, shall suffice to evidence this point:

In hora quippe in qua Deus sanctus et benedictus recordatur filiorum suorum, scilicet iudaeorum, in hora in qua ipsi sunt constituti in tribulatione inter gentes saeculi, plorat emittitque lacrimas quae descendunt in mare magnum, et hoc est fulgur (MS Erlangen, Universitätsbibliothek, 542, fol. 117v).

<sup>25</sup> For an edition of the letter, see Lampurlanés Farré (2024, 47-48).

<sup>26</sup> On the Latin reception of and reactions against the *Birkat ha-minim*, see Langer (2011, 66-101).

<sup>27</sup> MS Erlangen, Universitätsbibliothek, 542, fol. 144v: “Item contra christianos iunctis pedibus faciunt aliqui orationem nec loquuntur de aliquo quo usque sit finita nec est interrumpenda etiam si serpens involuit se pedibus aliquius. Et est ista: Deus, manutene, manutene, tene nos et da malum gohim. Fac oblivisci nominis delicatae, id est ecclesiae, de omni loco et de omni angulo. Sigillos curtas [sic; in the Excerptum: Sigilla cartas] eorum suae damnationis, sed [sic; in the Excerptum: scilicet] in die angustiae, et omnibus afflictionibus congregatis. Fac super eos ruere timorem et favorem [sic; in the Excerptum: pavorem]. Scyphum irae irae tuae mitte [sic; in the Excerptum: misce] inter eos, vertigo destructionis sit in cordibus suis, timor et consumatio sit in lumbis eorum; concussio et paralysis in omnibus [sic; in the Excerptum: omnibus membris] ipsorum. Et corruant in se ipsis et a se ipsis. Dolor super dolorem veniat super eos, muti sedeant in locis suis et tot repleantur doloribus quod non possunt curari. Comminue eos et percute. Offende eos et destrue, dirue domus eorum, discinde pulchritudinem. Mortifica regnum eorum. Offensam praebe in eos; effunde timorem super eos. Conversis non erat spes et omnes minim in una hora repente disperse eos.”

<sup>28</sup> Cf. for the same passage in the *Excerptum de Talmud* the edition by Lampurlanés Farré (2020b, 164-166). While the *Excerptum* draws on the thematic version of the *Extractiones*, it rearranges the *qerovot* which are quoted therein in a distinct way that coincides with André’s quotation. See Anonymous (2021, 83).

<sup>29</sup> Compare, for instance, André’s quotation from Avodah Zarah 3b: “Et ideo quaerit rabi Isaac a rabi Iuda: Quid facit Deus ne tristetur? Respondit: Sedet et docet pueros parvulos indoctos in Talmud qui moriuntur,” with the *Errores*’s rendering thereof: “Item quaerit rabi Isaac a rabi Iuda: Quid facit Deus ne tristetur? Respondit: Sedet et docet Talmud eos qui moriuntur parvuli indocti”; see MS Erlangen, Universitätsbibliothek, 542, fol. 120v and the edition of the *Errores* by Lampurlanés Farré (2020a, 398), respectively. In contrast to other translations of Az 3b, both texts feature the characteristic question: “Quid facit Deus ne tristetur?”

The text, which describes God's sadness in the face of the misfortune of his people, follows, with minimal variations, Ramon Martí's translation of Berakhot 59a in *Pugio* II, 15:

In hora quippe qua Deus sanctus benedictus recordatur filiorum suorum, id est Judaeorum, in hora, inquam, in qua ipsi sunt in tribulatione constituti inter gentes saeculi, plorat emittitque lacrymas quae descendunt in mare magnum, et hoc est fulgur (Martini 1687/1967, 473).<sup>30</sup>

Many other passages from *De publicatione* could be adduced which yield evidence that André was heavily dependent on the earlier anti-Talmudic tradition, quoting pervasively from texts such as Petrus Alfonsi's *Dialogus*, the dossier of the *Extractiones* and the *Pugio fidei*: that is, from the seminal works of twelfth- and especially thirteenth-century anti-Jewish polemic.

André's treatise, however, is not only of paramount interest because of those sources which we can identify and which add a great deal to our knowledge of the circulation of anti-Talmudic literature during the Middle Ages. No less telling are certain passages within the work that contain additional information on the Talmud and the Talmudic tradition but which cannot be traced to any text we know of. This is, for instance, the case for André's general presentation of the Talmud and its structure, which does not only list the six orders of the Talmud, as other Latin works like the *Extractiones* did, but also goes on to enumerate for each order the titles of the various tractates it contains, both in Hebrew and in Latin translation (MS Erlangen, Universitätsbibliothek, 542, fol. 94r-95v). While this seemingly unique feature could speak in favour of Merchavia's hypothesis concerning (oral) exchanges that André maintained with Christian Hebraists during the Disputation of Tortosa, other passages that provide more specific information on the Talmud rather suggest that he might have had at his disposal some written sources which we are ignorant of at present. This is the case, for example, of a translation from Avodah Zarah 3b, which asks about God's occupations during the twelve hours of the day. This passage was rather popular in anti-Talmudic polemics and received many different translations during the Middle Ages. In its description of hours 7-9 of God's daily 'routine', this passage employs a Hebrew term that posed particular problems to the Latin translators. The original Talmudic text states that during these hours God feeds the world, from the biggest to the smallest animal: that is, from "the horned buffalo" (מְקָרְנֵי רֵאמִים) to "the brood of louses" (בִּיצֵי כְּנִים). Different translators suggested different translations for "the horned buffalo": in his 22<sup>nd</sup> Article, Nicholas Donin translated the passage as "a rinoceronte usque ad pulices" (Ed. Capelli 2019, 49); in the *Extractiones de Talmud* it is rendered as "a cornibus bubalorum usque ad ova pediculorum" (Anonymous 2018, 416); and Ramon Martí gives "a cornibus unicornium usque ad lendes pediculorum" in *Pugio* III-III, 22 (Martini 1687/1967, 930). Jerónimo de Santa Fe (2006, 137 and 1677b, 549A), who also translated the passage, omitted precisely this line. Ramon Martí's rendering, that is, 'unicorn', is what we also encounter in André's *De publicatione*: to wit, "a cornibus unicornium usque ad ova pediculorum" (MS Erlangen, Universitätsbibliothek, 542, fol. 115r). What distinguishes André's text from all others is that he offers an explanation for this line, referring to Rashi's commentary on Az 3b which explains the meaning of the two zoological references in terms of size, maximum and minimum: "Glossa rabi Salomonis: unicornes sunt animalia maxima. Ova vero pediculorum, id est lendes, sunt minutissima" (MS Erlangen, Universitätsbibliothek, 542, fol. 115r). This addition is remarkable as it does not occur in any other text we know of. It seems rather unlikely that this explanation – and the entire translation of Avodah Zarah 3b, which is quite different from the rest of the tradition, including Ramon Martí – goes back to oral exchanges. Rather, André must have availed himself of written sources which have not come

<sup>30</sup> The same passage from Berakhot 59a had been translated previously in the sequential *Extractiones de Talmud*, yet the wording is different: "In hora enim in qua Sanctus, benedictus sit ipse, memoratur iustorum suorum et filii sui sunt in tribulatione inter gentes saeculi, sedet et plorat et descendunt duae lacrimae et profundant et descendunt in mare magnum et vox eius diffunditur ab uno capite mundi usque ad aliud, et inde est tonitruum" (Anonymous 2018, 104).



down to us. In light of this, we should seriously consider the possibility that *De publicatione* gives testimony of otherwise lost anti-Talmudic discussions.

#### THE ROLE OF BENEDICT'S ANTI-HERETICAL LIBRARY

While André's *De publicatione* cannot claim the originality that other anti-Talmudic works from the Middle Ages possess, it can nevertheless be considered a treasure trove for scholars of Christian-Jewish polemic, for there is hardly any other treatise that integrates such a wide range of Latin and vernacular Talmud translations and related polemical texts as *De publicatione*. This is even more remarkable since the reception of some of these works, namely the *Extractiones* and the *Pugio*, seems to have been rather limited during the Middle Ages.<sup>31</sup>

To account for this extraordinary wealth of sources we would like to suggest that these reflect, at least in part, Pope Benedict XIII's anti-heretical library, the so-called *libri heresum*-section which is documented in various inventories of his library over time. At the moment of the Disputation of Tortosa, the pope's anti-heretical bookshelves at his court in Peñíscola contained the following anti-Jewish items, in this order (see Faucon 1886-1887, vol. II, 123):<sup>32</sup>

- 716. Item extractiones suspecte a libro de Talmud.<sup>33</sup>
- 717. Item pugio in tribus voluminibus.<sup>34</sup>
- 718. Item pugio abbreviatus.
- 719. Item pugio contra Judeos in maiori forma.
- 720. Item liber Petri Alfonsi contra Judeos.<sup>35</sup>
- 721. Item epistola contra novos errores Judeorum.
- 722. Item tractatus fratris Bernardi Oliverii contra Judeos.<sup>36</sup>
- 723. Item liber ad disputandum contra Judeos.
- 724. Item liber magistri Johannis de Valleoleti contra Judeos.<sup>37</sup>

<sup>31</sup> For the *Extractiones*, see Fidora (2019). As for the *Pugio fidei*, only in recent years have scholars been able to trace instances of its reception during the Middle Ages, see Hasselhoff (2004), Fidora (2012 and 2013) and Catalán (2015).

<sup>32</sup> For earlier and later inventories, see Jullien de Pommerol and Monfrin (1991), Perarnau (1987a), Serrano and Perarnau (1987) and Perarnau (1987b).

<sup>33</sup> This manuscript of the *Extractiones* is described in more detail in a later inventory of Benedict's library. See Jullien de Pommerol and Monfrin (1991, vol. I, 488 = inventory Pb 613). From the details given in inventory Pb ("incipit in primo colondello secondi folii *quorum sigilla*, et finit *armotani*") it appears that this manuscript cannot be identified with any of the known codices of the Latin Talmud dossier.

<sup>34</sup> On the manuscript transmission of the *Pugio*, see Hasselhoff (2017b), with references to two of the three manuscripts owned by Benedict XIII at p. 25, n. 25, p. 29 and p. 30.

<sup>35</sup> On Pope Benedict and Petrus Alfonsi's *Dialogus*, see Tolan (1993, 126-129).

<sup>36</sup> That is, Bernardus Oliver's *Contra caecitatem Judaeorum*. Critical edition: Oliver (1956).

<sup>37</sup> That is, Juan de Valladolid, *Liber de concordantia legis Dei*. Critical edition: Juan de Valladolid (2019). The edition is based on the single extant manuscript from Benedict's library. Britta Müller-Schauenburg suggested that this work might have inspired the Avignon pope in convening the Disputation of Tortosa but the edited text does not confirm this impression. Likewise, there are no traces of it in André's *De publicatione*. See Müller-Schauenburg (2020, 353).

725. Item tractatus magistri Nicolai Aymerici contra Judeos.<sup>38</sup>

726. Item Petrus Alfonsi contra Judeos et Sarracenos in vulgari catalano.<sup>39</sup>

Several of the main sources of *De publicatione* can be spotted in Benedict XIII's library. Thus, one finds two exemplars of Petrus Alfonsi's *Dialogus*: the Latin original (720) and a Catalan translation (726). At the same time, there is also a copy of the *Extractiones*, namely no. 716, which in a later version of Benedict's library inventories is explicitly described as "Extraccio de Talmuto Judeorum facta per fratrem Nicolaum, ordinis Predicatorum",<sup>40</sup> that is, the *Extractiones de Talmud* and their dossier, including the texts by Nicholas Donin. The *Pugio fidei* by Ramon Martí was even available in three copies: two full copies and one *Pugio parvus*. It is certainly no mere coincidence that these texts, which together with the documents from the Disputation of Tortosa were the main sources for André's *De publicatione*, were simultaneously present in Benedict's library in Peñíscola. Rather, we must consider *De publicatione* to reflect not only the Tortosa disputation and its contemporaneous textual corpus but also the pope's anti-heretical library.

Looking more closely at the pope's bookcase one can explore further possible connections with hitherto unidentified texts. Thus, item no. 723, the *Liber ad disputandum cum iudeos*, could correspond to the *Errores iudeorum* and the *Pharetra*, which were often presented together in the same manuscripts. The latter of these introduces itself as a genuine manual of Christian-Jewish disputation, its prologue starting with the words: "In disputatione contra iudeos notate triplicem cautelam".<sup>41</sup>

Another item in Benedict's anti-Jewish library that calls for attention is no. 721: "Item epistola contra novos errores Judeorum," which in the later inventory Pb is referred to as "Opusculum De novis erroribus Judeorum".<sup>42</sup> Could this perhaps be one of André's sources which we were not able to identify in the preceding section of this article? Of course, one should also reckon with the possibility that *De publicatione* used sources that did not belong to the pope's library, particularly since the treatise was not completed until 1417.<sup>43</sup> An example of this could be the above-mentioned *Excerptum de Talmud*, which does not match any of the entries in the pope's library inventories. As this text appears to be of southern German origin,<sup>44</sup> it is not unlikely that André came across it after departing from Tortosa to attend the Council of Constance, which, like other councils of the time, staged a dynamic book market.<sup>45</sup>

From this vantage point, the present investigation into the anti-Jewish sources of *De publicatione* is not only relevant for reconstructing André Dias de Escobar's life and works; it also sheds

<sup>38</sup> This could refer to Eimeric's unedited *De iurisdictione ecclesiae* (also known as *Contra infideles*); on which see Perarnau (1979). Further details on the codex given in inventory Pb 865 (Jullien de Pommerol and Monfrin 1991, vol. I, 531): "incipit in secundo folio *tum ei*, et finit in eodem *de here*") allow us to discard the abbreviated version of *Contra infideles*, edited by Perarnau (1982).

<sup>39</sup> Unfortunately, only fragments of this translation, which must have covered the whole text, have survived. See Ainaud de Lasarte (1943) and Puig i Oliver (2001, 502-503).

<sup>40</sup> See Jullien de Pommerol and Monfrin (1991, vol. I, 488 = inventory Pb 613).

<sup>41</sup> See the working edition of the *Pharetra* by Lampurlanés Farré (2020c, 334).

<sup>42</sup> Jullien de Pommerol and Monfrin (1991, vol. I, 523 = inventory Pb 822) ("incipit in secundo folio *ad me et vitam habeatis*, et finit *ita dicam ebrey novi*").

<sup>43</sup> This means that André must have taken notes for or even drafted parts of *De publicatione* while in Tortosa and at the papal court. There is evidence that after Benedict's death André was in possession of at least one volume from the former's library; however, this book is not related to anti-Jewish polemic at all. See Müller-Schauenburg (2018, 265, n. 836).

<sup>44</sup> See the introduction to the text by Lampurlanés Farré (2020b, 114).

<sup>45</sup> See Lehmann (1921).

new light on Benedict's anti-heretical library and its readers, of which André was one – though certainly not the only one. Blending together anti-Jewish polemics of the twelfth and thirteenth centuries, which filled the papal bookcase, with the Disputation of Tortosa, André provides us with the missing link between the anti-rabbinic tradition and the events of the years 1412 to 1414. Other members of the papal court who attended and intervened in the disputation must have shared similar background readings. Thus, even if Jerónimo of Santa Fe was anxious to always offer his own versions of Talmudic arguments, there can be no doubt that the Disputation of Tortosa was consciously building on a long tradition, using proof texts which for the most part were well-known topoi among the Christian scholars who took part in the disputation.

Further research on the Disputation of Tortosa, which was undoubtedly the major Christian-Jewish controversy of the Middle Ages, will have to take into account the lines of continuity that we have traced from Petrus Alfonsi's early anti-Talmudic polemics up to the fifteenth century, paying particular attention to the Avignonese pope's *libri heresum*. Our analysis of the textual and doctrinal background of the disputation shows that to fully grasp the controversy's religious and political relevance it must be understood as part of a sustained discourse that evolved over centuries and was capable of progressively integrating traditional and new anti-Jewish claims.

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#### AUTHORSHIP CONTRIBUTION STATEMENT

Alexander Fidora: conceptualization, investigation, writing – original draft, writing – edition & review.

Isaac Lampurlanés Farré: conceptualization, investigation, writing – original draft, writing – edition & review.

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