

BUSINESS SUCCESS AND TAX DEBTS: JEWISH WOMEN IN LATE MEDIEVAL AUSTRIAN TOWNS

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In medieval Austria, the status of the Jews as individuals and as a community was regulated by the privilege given by Duke Frederick II in 1244, providing the legal basis for their settlement by giving them protection in exchange for their usefulness. In their assigned activity of dealing with money, the Jews were treated very favourably, while being banned from other occupations by the regulations of local lords or by urban guild statutes.¹ Jews (*judei*) were given business privileges that became models for further freedoms in the Late Middle Ages, for instance in Hungary and in Bohemia. Jewish women (*judeae*) were not mentioned explicitly in these privileges – apart from the paragraph that deals with the punishment of rape – but we come across Jewish women of different standing as moneylenders from the earliest stages of Jewish settlement in Austria. The rabbis of medieval Austria, where Jews had settled from the end of the twelfth century, took over some of these models from France and Germany.

Considering the favoured status of monetary businesses in contemporary law, it is not surprising that, besides being domestic servants, giving credit was by far the most frequent occupation of Jewish women in the Middle Ages. This activity increasingly had legal consequences, from both the laws applied to Jews and those used among Jews.

LOANS GIVEN BY WOMEN

According to a study of 41 Jewish communities in Germany by the Israeli historian Michael Toch, women's loans comprised about one-quarter of the total.² Such a high percentage, however, cannot be confirmed for Austrian communities. Evaluation of the relevant source editions and the original charters registered at the Institute of Jewish History in Austria result in varying percentages.³

A collection of summaries of 180 charters on credit businesses from the period between 1235 and 1340, compiled within the framework of a project at the Institute of Jewish History in Austria,⁴ gave the following proportions between men and women in different periods:

- 1235–1275: 11 men and 1 woman – women comprised one-twelfth;
- 1276–1310: 48 men and 6 women – women comprised one-ninth;
- 1311–1325: 53 men and 7 women – women comprised more than one-ninth;
- 1326–1340: 68 men and 14 women – women alone comprised about one-sixth, and a further 22 loans percent, that is, more than one-quarter for married couples.

These figures show the proportion of female moneylenders rising gradually, from 8 to 16 percent, with couples making up an additional 25 percent in the latter period. The figures also give an illustration of the increasing number of Jews resident in Austria. At the same time, the circle of clients grew wider, the average amount of the loans decreasing correspondingly. The increasing number of female moneylenders can be understood partly as a way of providing extra security and partly as widows of first-generation immigrants taking over the businesses of their late husbands. Therefore it is important to differentiate between the cases where women were simply mentioned together with their husbands and the instances when they conducted businesses in their own right, though this is not an easy task. Like their male colleagues, women also participated in money-lending associations, that is, in consortiums of spouses, relatives, and associates. Often, however, when a woman's name was not mentioned first, it is impossible to tell whether her participation in such partnerships was active (investing her own fortune) or passive and served rather as security in case she became a widow.

There is also the question of how representative the preserved documents are. For instance, nearly all the data from the first decade of the fourteenth century refer to Lebmann from Vienna and his wife Weichsel. The reason for this is that their main debtors were the lords of Ebersdorf, a family whose business books have been almost completely preserved.⁵ Such 'freak' cases of preservation or loss may seriously distort our picture.

Vienna

After 1340, the published town documents of Vienna (the city with the greatest and most important Jewish community in Austria), provide a nearly complete overview of the proportion of female lending:

- The charters from the Vienna City Archives (1239–1411)⁶ refer to 40 men and 7 women as main creditors, that is, about one-seventh; and in seven further cases women were mentioned beside men.
- *Gewerbuch B* (Book of Estate Acquisitions, 1373–1419) and *Verbotbuch* (Book of Mortgages, 1373–1399)⁷ mention 199 male and 31 female moneylenders, that is, women were also about one-seventh (not mentioned together with men).
- *Satzbuch A1* (Book of Debts, 1373–1388)⁸ contains data on 650 men and 80 women in this branch of business, that is, about one-ninth (without mentioning them together with men).
- *Judenbuch der Scheffstraße* (Book of Jews in Scheffstraße, 1389–1420)⁹ refers to 249 men and 68 women (including 4 partnerships), that is, somewhat more than one-fifth.
- The most voluminous collection of loans provided by Jews, the mortgages registered in the *Grundbuch* (Register of Real Estate) between 1381 and 1421, was compiled by Rudolf Geyer and Leopold Sailer.¹⁰ In the 1767 transactions contained in this edition, we find 1475 male and 292 female creditors, that is, the proportion of the latter reaches exactly one-sixth.¹¹

Wiener Neustadt

For the second largest Jewish community in Austria, the sources have been much less completely preserved, giving a picture different from that of the capital:

- The summaries of charters concerning Jews from Wiener Neustadt in the collection of the Institute of Jewish History in Austria (1321–1497) give information on 123 male and 6 female moneylenders, that is, women were less than one in twenty. In another four cases a woman, namely Sara, also named Gutlein, Isserl of Wiener Neustadt's widow, participated, with the outstanding sum of 6,812 gulden.

This number certainly represents only a fraction of the loans provided in reality by Jewish men or women. We know for certain that Frederick III, emperor and overlord of the town, had insisted for several years that a written list of all the loans be compiled.¹² From his repeated attempts we can conclude that this was only partially carried out. Even though each *Judenrichter* (a Christian judge deciding legal cases between Jews and Christians) kept a *Judenbuch* (a book of transactions where Jews were involved),¹³ not a single one has been preserved from the 300 years of medieval Jewish settlement in Wiener Neustadt.¹⁴ The *Liber Judeorum* of Wiener Neustadt, which was referred to as a *Satzbuch* (Book of Debts) in the older literature, is really a *Gewerbuch* (Book of Estate Acquisitions). Actually, there is a *Satzbuch* in the Town Archives of Wiener Neustadt from the period between 1465 and 1594, but it concerns mainly credits provided by Christians.¹⁵ Only about one in thirty entries records the mortgage of a house to a Jew. During the thirty years between the commencement of the *Satzbuch* and the expulsion of the Jews in 1496–1497 there were only 46 Jewish loans registered, 39 by men, four by women alone and three with the participation of women. This means that Jewish women had a relatively low proportion of one-seventh, or one-eleventh if we only count the credits given by women alone. These cases are included in the numbers mentioned above. In two instances, a reverse transaction was registered: Jews mortgaged their houses to a Christian person and to the Christian hospital.¹⁶

A further group of sources from Wiener Neustadt gives accounts of a special procedure, with a significantly high participation of women in credit transactions: if the debtor did not repay the amount by the given deadline, the creditor – man or woman – was entitled, after three announcements, to take control of the mortgaged house through a symbolic act. This had to be reported to the mayor and entered into his *Rats- and Gedenkbücher* (Council- and Notebooks),¹⁷ which are preserved for the forty years between 1442 and 1482. Here the ratio between men and women is 56 to 21, that is, the proportion of women is above one-quarter. Some women – just like some men – took part in the business in pairs, for instance the sisters Malka and Sletlein. These 77 transactions, which were all connected with mortgaged houses, represent only a fraction of all credits given on mortgage or pawn.

According to our present knowledge of the sources – although the calculation of the exact figures is still ahead of us – the proportion of female moneylenders in the two biggest Jewish communities of medieval Austria varied between somewhat more than one in four and one in twenty. Credits to the burghers of Vienna and Wiener Neustadt were provided by women in one case out of seven or eleven. The high percentage of women in the craftsmen's and fishermen's quarter of Scheffstraße in Vienna and among the house-dstraint cases in Wiener Neustadt shows how intensively Jewish women were involved in the business life of the lower strata of urban society.

BEHIND THE FIGURES

These dry figures pose a number of questions. What skills and resources were required of female moneylenders; what were their functions; what was their legal position compared to their male colleagues; and what effects did their financial activities have on their roles in the Jewish communities and Christian society?

Rights of Disposal

The precondition of a money-lending business is, of course, the right of disposal over one's own or someone else's capital. The complicated Jewish property rights give several options:¹⁸ wives could, within certain limits, dispose of valuables that they had themselves brought into the marriage, and without limitations on values amassed within the marriage. Furthermore, a wife could control the so-called *ketubah*, a sum fixed at the time of marriage, which the wife could claim from her husband's estate in case of a 'blameless' divorce or her husband's death. This speciality of Jewish family law comes up as early as the Mishnah, around 200 CE, ordering the payment of the equivalent of 200 or 100 Sus Babylonian coins – the full amount for virgins and half of it to widows or divorced women. The actual amount of the *ketubah* showed great variation in time and space: for example, in fifteenth-century Austria it was 400 pounds of Viennese denars for virgins and 200 pounds for widows and divorced women, in Frankonia, Bavaria, and Schwaben it was 100 or 50 marks of silver, respectively. In the Lower Rhine region (*galil hatachtton*) the *ketubah* amounted to 60 guilders for virgins and 30 for widows and divorced women. In Regensburg virgins were entitled to 200 marks of silver and widows and divorced women to 100.¹⁹ These sums were set high to make it hard for the husband to divorce his wife. This money was, after all, part of his business capital.

On the death of her husband, the widow would find that her claims on the estate took second place, after his creditors, but before the other heirs. Therefore, the high sums fixed by the law could not always be paid out to her, but as compensation she acquired the right of disposal over part of or the entire family estate. Besides, the marriage partners made supplementary contracts which fixed the amount of compensation in case of a divorce according to the wife's dowry.²⁰ Besides real estate, mortgages and pawn were the most suitable *ketubah* objects. Therefore we should not be surprised to find that those few Austrian Jewish women who were moneylenders on a larger scale were all widows. Another great asset for female – as well as male – moneylenders was to belong to a family with good business connections with both Jews and Christians.

Literacy

Moneylenders of both genders had to be able to read and to provide their signature and a shorter or longer formula of confirmation as means of authentication if the business required it. The use of Hebrew signatures seems to have followed regional customary law as well as Jewish *minhag* (legal custom). While documents from the Austrian provinces were seldom signed in Hebrew, letters of debt from Styria and Carinthia often contain Hebrew signatures and confirmations.²¹ It was not by chance that all of the few documents issued and signed by women come from the latter region.

When Jewish women – mainly widows – issued documents on their own, in the German text they used, like their Christian counterparts, the combination of their given name and their (late) husband's name, but in the Hebrew signature they used either their father's name or the form 'widow of so and so'. For instance, Rabbi Aron Blümlein's daughter, who was named Plumel after her grandmother, signed herself in the charter she issued as "*Ich Plumel die Judin maister murckleins wittib zu marchburg*" (I, Plumel, the widow of Master Murcklein of Marburg), but signed her autograph certificate in Hebrew as "Plumel, daughter of Rabbi Aron the Martyr of blessed memory".²² Another woman from Marburg (Maribor), however, "*Priba, Judin, des Juda Keschl wittib zu Marchburg*" (Priba, Jewess, widow of Juda Keschl from Marburg) signed in Hebrew as "Priba, widow (*almanah*) of Juda from Marburg of blessed memory".²³ These formulas for signatures show a mixture of Christian and Jewish law. As a contrasting example we can mention Hansüß, the daughter of David Steuss, the most famous moneylender in Austria, the financier of Rudolf IV and Albert III.²⁴ Although married to Rabbi Meir of Erfurt, a well-known personality in the whole Ashkenazi territory, she never signed herself in her documents after her husband, only after her father.

In letters of purchase or mortgage the wives were always mentioned together with their husbands in order to secure their common acquisition, but the women seldom signed these documents. A certain proportion of credits was provided together by spouses, but the documents of these transactions carry only the husband's signature. An exception to this custom was the receipt of Muschel of Friesach, his wife, and heirs, to acknowledge the re-payment of a debt by the innkeepers Niklas and Hans of Osterwitz. Muschel's wife signed in Hebrew as 'Mirl, daughter of Mosche, blessed be the memory of the righteous',²⁵ so she identified herself, contrary to the Christian legal usage, with her father's name. Besides this she used the diminutive form of her name instead of the original Hebrew 'Miriam', as would have been usual in an official Hebrew signature.²⁶ However, neither did men always keep to the strict form of Hebrew signature with their 'sacred names' (*shem ha-kodesh*).²⁷

In another case, Lea, Abraham of Voitsberg's widow, merely signed with her given name, adding the locative 'of Voitsberg'. The document in question concerns the transfer of her grandchildren's guardianship and the management of their house in Radkersburg to Schlomel and his wife Süssel of Radkersburg, who passed it on three years later to Lea's son Matthias.²⁸ Since guardians of orphans were appointed by the Jewish court (*bet din*) to represent under-age children as legal persons, women were seldom entrusted with this task. Besides, the guardians had to be wealthy enough to take care of the orphans and shrewd enough to invest their estates in lucrative enterprises.²⁹ Lea, already a widow, was apparently acting in such a position, but – maybe because of her age and her place of residence – she held the guardianship over her grandchildren only for a limited period.

Other women, such as Selda, granddaughter of Gerschom of Graz and widow of 'Master' (that is, rabbi) Josef, had other Jews sign their documents. Selda issued a receipt on 12 May 1483 in the name of her grandfather Gerschom and his son (her uncle) Juda – presumably both of them were dead – to Thomas of Stubenberg to acknowledge the repayment of his debts and had a certain *Gadil* (Gedalya) certify that it happened with her consent and at her request.³⁰ David Herzog, historian and the last rabbi of Graz before the Shoah, pointed out that Milka, Herschl of Marburg's wife, signed 'misspelled, with utterly hopeless Hebrew handwriting'.³¹ However, even men who should supposedly have had more practice with Hebrew left their marks behind, in Herzog's expression, 'with very clumsy . . . handwriting', also when they wrote German words with Hebrew letters.³²

Some women were able to write more than their signature in Hebrew. This can be seen, besides Plumel von Marburg's above-mentioned Hebrew certificate, from a receipt issued by Röslein, Häselein of Friesach's wife. She acknowledged, in practiced handwriting, that her brother-in-law, 'Shemarya, the honoured Mordechai's son' – whose appellation name was Freudmann – handed over to her two charters for safekeeping.³³ This lapidary document gives an insight into the tasks women had in a moneylender's family. The precise naming of the debtor (the Counts of Ortenburg) and the sums (600 guilders and 100 marks of silver) shows her abilities in administering the business documents of her family members, who were extremely active in giving credit. She does not feature as active creditor or a participant in these transactions, but was rather expected to do the bookkeeping and the administration of the business archives, well comparable to Christian businesswomen of the time.³⁴ Like other women, she was competent in a kind of 'business Hebrew' that was probably the result of basic business training provided by her father, brothers, or husband. Women also used Hebrew letters for writing in Jewish-German, but that was more for private or religious purposes.³⁵

Elasar bar Yehuda from Worms (ca. 1165–1230) reports a pious man (*hasid*) who taught his daughters to read, write, and count to prepare them for a future as businesswomen. It was not his daughters' career that he had in mind, but rather their honour, so that they should not acquire a bad reputation by being alone with a man who had to help them write their business letters.³⁶

The women in these examples belonged to the upper social circles, being daughters or wives of rabbis or other leading personalities of Jewish society, who united profound religious education with extraordinary business activities. It is most likely that the majority of credits, especially those involving small sums for short terms, were provided without any written account. Transactions of this kind only required personal contacts and confidence, enforced by a pawn of smaller or average value, or the presence of a witness. These arrangements did not provide much security for either party, which is why medieval Jewish Austrian history is full of demands for the registering of monetary transactions.³⁷

WOMEN IN COURT

As a result of increasing business activities, the position of Jewish women became stronger, not only in the Jewish but also in the Christian legal system. One reason was that disputes with Christian debtors made it necessary to accept Jewish women as legal persons before the court who could be charged for their deeds. In the Late Middle

Ages, guardianship over women was also reduced in Christian circles to assistance in legal matters. Especially in towns, independent businesswomen whose activities were similar to money-lending Jewish women's, enjoyed as wives almost complete freedom in business and before the court.³⁸ There are few sources on Christian courts dealing with Jewish women, and even these show different procedures: sometimes women appeared alone, and sometimes with legal representatives who provided – for Jews and Christians alike – legal expertise comparable to that of modern lawyers.³⁹ In case women had recourse to the assistance of a man before a court, it is not always clear whether that person was a guardian or a legal representative. In the following case, the man was probably a relative or a 'hidden' business partner.

The aged Hindel, widow of Aron Muskat, the head (*parnas*) of the Jewish community in Wiener Neustadt, chose Slemel Behem, a Jew from her home town, but at that time resident of Sopron (Ödenburg) in Hungary, as her legal representative. She complained that the customs officers in Sopron had illegally charged her 472 guilders for her transported belongings during her short stay in that town when the Jews were expelled from Wiener Neustadt. Since the customs tariff on the Hungarian border was one-thirtieth (3.3 percent), her wealth probably reached the considerable sum of 14,160 guilders. After the repeated intervention of the Palatine István Szapolyai on 18 and 26 April 1497,⁴⁰ the three guilty customs officers were obliged to repay the money, as testified by their certificate issued on 30 April. Slemel and Hindel also issued a document in German, also on behalf of their heirs and descendants, acknowledging the receipt of the sum. This indicates that Slemel Behem had a certain share in the above-mentioned fortune. The receipt was issued in Hindel's name by Slemel alone, confirmed by him in Hebrew and countersigned by Elias, an official representative and cantor of the Sopron Jewish community, by Izchak, Sch.'s son (abbreviated in the text, possibly referring to Slemel Behem), by a certain Elieser and by Hindel's son Izchak. This confirmation served as a means of authentication, instead of a seal. Hindel herself did not sign the document.⁴¹

As co-issuer of the German document Hindel played a semi-active role before the Christian court that can also indicate a hidden business partnership. The signature of Elias, the most important functionary of the Sopron community (called *messner* and *gesangmaister* in the German text and *sheli'ah zibbur* in his Hebrew signature), testified to the community's official involvement. The Jews of Sopron probably wanted to use this charter as a precedent to protect themselves from any further illegal demands. The town's interest was, on the other hand, to stop any further claims for compensation from the customs officers. Slemel Behem remained a resident of Sopron; where Hindel finally settled down is not known.⁴²

Gütel, the widow of Merchlein from Judenburg (in Carinthia), conducted her court case before the court of Marburg (Maribor) without a legal representative. She presented her lawsuit to the *judenrecht von erbern leuten, kristn und judn* (that is, a mixed court of Jews and Christians) against a certain Weigant from Buchschachen (near Seckau). In his sentence, Andre *Trenbegk, Stadt- und Judenrichter* (town and Jews' judge) in Judenburg, obliged the defendant to release all his movable and immovable property that had been mortgaged to Gütel within 15 weeks.⁴³ On 14 July 1489, the judge finally gave her full control over her debtor's property.⁴⁴

In these cases, when the houses of debtors were taken over by the creditors in Wiener Neustadt, female moneylenders appeared several times before the mayor and asserted their right without the assistance of guardians or legal representatives.⁴⁵

MOBILITY AND CONTACTS WITH CHRISTIANS

Bills of debt, formulated by a professional scribe, sealed by the *Judenrichter* or another legal person, as we find them in the archives, are the final written result of a series of negotiations between the creditor (man or woman) and the debtor. These negotiations presuppose personal contacts that were established either through already existing family connections or through the acquisition of a new customer. Resident Jewish families had regular customers, a custom still denoted in the thirteenth century by the Hebrew expression *ma'arufia*, which included protection against the competition of other Jews.⁴⁶ This word does not occur in the sources later, but the business tradition it denoted seems to have existed later as well, that is, that the most important moneylender-families had their own stable circle of customers among the nobility.

The system of urban credit transactions also points to the custom that there were agreements between the Jewish creditors (male and female alike) saying who was responsible for various groups of customers. From the 1,767 mortgages on houses documented in the Vienna property registers between 1381 and 1421 (one-sixth of which were handled by women), 130 were mortgaged to Seligmann from Brünn, 71 to Scheftlein Wallich, 71 to Scheftlein, the son-in-law of Josefin, and 67 to the same Josefin, named Serlein, widow of Josef from Feldsberg. The numerous other male and female moneylenders provided credits in one to thirty cases.⁴⁷

Jewish women came into contact through their business activity with several social groups of the Christian population. They usually became involved with credits to noble families through their late husbands. For example, Sara, named Gutlein, the widow of Isserlein from Wiener Neustadt, fought at the head of her sons-in-law in February 1479 to recover a total amount of 6,812 guilders from Count Jörg von Pottendorf. A year and a half earlier, in September 1477, the count took out a loan of 1,100 guilders from her husband on the security of the market town and estates of Kirchsclag (in Styria). Then he mortgaged this valuable and prestigious property again, for a much higher sum of money, to his former creditor's widow, while he apparently still had not paid back his earlier debts.⁴⁸

Unlike Sara, who was already well known in the local circle of customers, the immigrant Plume had to build up her contacts first, in which she succeeded surprisingly quickly. She arrived in Klosterneuburg around 1320, and by 1321 she had provided Otto, Abbot of Zwettl, a considerable loan of 100 pounds.⁴⁹ Unfortunately, our sources do not tell us anything about the ways in which she got in touch with her customers: whether she introduced herself, or had a letter of recommendation, or sent mediators. Since both her family and place of origin are unknown, we cannot even guess. In any case, in the following years she lent money to burghers from Vienna and Klosterneuburg (in Lower Austria), and also developed contacts with the highest nobility. In August 1335, Dukes Albert II and Otto promised Jans Turs von Rauheneck that instead of paying him 300 pounds for his military services, they would take over the debts he had with Plume.⁵⁰ From a case in which Duke Albert II paid off some debts, we learn indirectly about substantial credits given by Plume to Eberhard and Heinrich von Wallsee-Drosendorf. She had to be content

with 800 pounds, which probably covered only part of the debt owed to her.⁵¹ Finally, in the 1340s, she handed over her financial realm to her grandson David Steuss.

Another female moneylender to noblemen was Mörlin, whose credits to the 'young' Stubenberger, for which Reinprecht and Kadold von Ebersdorf stood security, were also repaid by Duke Albert II.⁵²

These prominent names and amounts shed light on the life of upper-class Jewish women. Dealing with and appearing in noble and even princely courts demanded a convincing appearance, appropriate clothing, facility in speaking, good manners and above all, self-confidence. Archaeological finds and Hebrew sources testify that the leading moneylender families strove towards the lifestyle of the nobility, like patrician families who tried to copy the formalities of the life of country noblemen.⁵³ Upper-class Jewish women presumably acted as mediators and trend-setters in fashion and taste in Jewish and Christian society. This assumption can be supported by the wall paintings in the house of Minna, a Jewish woman moneylender in Zürich from around 1340, which represent beside dance and hunting, scenes from the poems of Neidhart von Reuenthal, and coats of arms with names written in Hebrew.⁵⁴ The display of honour, wealth, and belonging to the upper social stratum was a common goal in Christian and Jewish society alike.

Despite the strong religious controversies on both sides, Jewish women and men alike had no reservations about business contacts with members of the clergy. Hansüß, David Steuss' daughter, lent 132 pounds to Thomas, Abbot of the Schottenstift in Vienna, as testified by a detailed charter that was obviously issued in her presence.⁵⁵ The fact that she was married to a rabbi did not matter; on the contrary, shortly afterwards her husband also lent 200 pounds to the same abbot.⁵⁶ The above-mentioned Selda, granddaughter of Gerschom from Graz and wife of the rabbi Josef, is the only woman mentioned in the *Judenbuch* of the Monastery of Rein (in Styria). This book, which was in use between the end of 1488 and March 1491, lists six peasants of the monastery who were indebted to her.⁵⁷

The registers of properties and debts from various towns testify amply to the contacts of Jewish women with all strata of urban society. Still, it may be surprising to see that as moneylenders they had business contacts even with prostitutes, who represented the lowest possible level on the social scale of values. Rabbi Isserlein from Wiener Neustadt justified his permission to his daughter-in-law Redel to lend money to prostitutes in their town saying that 'the pious men of Jerusalem made shoes for the whores'.⁵⁸ These small loans are not documented in the urban registers.

Moneylending required a good deal of mobility, either to travel to the residence of noblemen to arrange the transactions or to visit a burgher's house or even a brothel. Documents concerning the loans were sealed in the rooms of the judge in charge or of the nobleman. Recovering the debts also needed personal action, either by the creditor or by someone appointed by her. In contrast to the Sephardi environment where the social contacts were under strong Muslim influence, Ashkenazi women usually had no problem leaving their houses unaccompanied by their husbands or male relatives. On the contrary, the family was proud of the successes of the businesswomen and trusted their steadfastness in their morals and beliefs.⁵⁹ Some rabbis found it dubious when married women gave credit to peasants in the countryside or acted as mediators and therefore had to stay overnight at non-Jewish places, but business considerations proved to be stronger than custom. The problem was that according to Jewish law (the *halakhah*), a woman who was raped had to be divorced by her husband; but since she as a moneylender stayed with non-Jewish people voluntarily, and there was no danger of rape, she was allowed to be kept by her husband.⁶⁰

In any case, Jewish legal experts modified the *halakhah* in favour of women. In spite of the prohibition in the Bible against wearing clothes of the opposite gender, Yehuda heHasid at the beginning of the thirteenth century allowed women to wear male clothes when they were travelling:

Although it is true that the Torah says: male clothes must not be on a woman, and a man must not put on women's clothes (Deuteronomy 22:5), but when the enemy attacks the town, or when someone is travelling, and they [the non-Jewish] know that they are women, they would want to lie with them. Therefore women should wear men's clothes, and even swords, so that the enemy should think that they be men.⁶¹

Jewish women were even allowed to dress as nuns, as Rabbi Isserlein from Wiener Neustadt 150 years later explained: 'A woman on her way, hearing that non-Jewish people would accompany her, and being afraid that they would want to lie with her, may disguise herself as a nun, so that her companions should think that she be a nun and therefore do not want to lie with her.'⁶²

The *Sefer Hasidim* (The Book of the Pious) remarked that this kind of disguise could protect women against Jewish rapists as well. Jewish men were also allowed to dress as Christians on a dangerous journey, in order to save their lives, but not to get financial advantages by avoiding special taxes levied on Jews. Assuming that these theoretical legal decisions had something to do with reality, one of their lessons may be that the main difference between Jews and Christians concerned features of their outward appearance, such as clothing and above all their hair and beards, so in 'Christian disguise' Jews could not be recognised as such any more. We can only guess where Jewish women could have got hold of nuns' habits; apart from a probable black market in such things, we can infer that sometimes they had good contacts with religious women.

Securing freedom of movement was an obvious element of any privilege granted to Jews. In one of the few personal letters of privilege given to Jewish women, Count Meinhard VII of Görz guaranteed the Jewess Sharlat, Shalom's widow, and her mother Minz, together with members of their households, among other things, freedom of movement in his territory. In case they wanted to leave the region of Görz, they got free escort to the towns of Laibach (Ljubljana), Trieste, and Cividale, and the count provided for the safekeeping for two months of the belongings they left behind.⁶³ It is worth noting that this unusual privilege was probably issued at the request and as a result of the mediation of Katherina von Luxemburg, Rudolf IV's wife. She wrote to her *sundern lieben Oheim Graff Meinhart von Görz* (her dearest uncle, Count Meinhart of Görz) on 12 January 1364 that he should support the Jewess Sharlat in recovering her debts and give her a letter of protection and escort.⁶⁴ This hitherto unknown private letter gives new insight into the contacts between noblewomen and their Jewish counterparts.

Sources of this kind, however scarce they are, like the documents of credit transactions, shed light on the intensive contacts between some Jewish women and their Christian customers and protectors. We know of at least one case when these contacts went beyond all limits according to both Jewish and Christian norms: Golda, daughter

of Hatschim from Cilli, entered into a love relationship with Count Ulrich or Hermann von Cilli – the relevant document discretely names only ‘the other party’ with whom Golda was allowed to stay.⁶⁵

THE TAX SYSTEM AND TAX CASES

Business success was – as in our own time – inseparable from the obligation to pay taxes. The payment of the regular and extraordinary Jews’ taxes was the primary precondition of Jewish life in the Middle Ages. Jews were often expelled from a territory just because they were unable to meet the often exorbitant tax demands and the landowners did not prolong their privileges securing their residence. Jews’ taxes were collected – except for the infrequent extraordinary poll taxes – in a lump sum from the Jewry of a given territory. The contribution of each community was determined after long negotiation led by their leaders and rabbis.⁶⁶ The assessed sum was collected by Jewish tax collectors (*absamer*) who were appointed by the dukes on the proposal of the community members. The internal Jewish tax officials (*gaba'im*) assessed the wealth of each member of the community who swore an oath to their property declarations.⁶⁷ The community was entitled to involve even Christian courts in the exaction of taxes. Thus, the tax system represented a conflict-provoking mixture of Jewish law and laws concerning the Jews. The most controversial element was the donation of tax exemptions to certain Jewish men and women. According to Jewish law, these would have been valid only if the sum to be paid by the community had been lowered by the share of the exempted persons. Meanwhile, the privileges for individuals offered protection from the rabbinical court as well, which meant a gross violation of the autonomy of Jewish jurisdiction.⁶⁸

According to our present knowledge, three Austrian Jewesses were given personal tax exemptions: Möderlin from Linz,⁶⁹ Sharlat from Görz,⁷⁰ and Seldmann’s wife in Marburg,⁷¹ but they also had to maintain a careful balance between the allowances from their overlord and the acceptance of their community. Several Christian and Jewish sources, lengthy testimonies of rabbinical scholars, and an endless list of court cases testify to the great burden the assessment and collection of taxes was on medieval Jewish men and women.⁷²

Although – as discussed in the introductory paragraphs – the privileges of Jews issued in medieval Austria do not deal explicitly with women, Jewish women are often expressly mentioned in tax decrees and other orders for payment, as well as in restrictions of credit transactions, showing that the issuers of these documents seriously considered women’s taxable properties resulting from their business activities. For instance, in June 1414 Duke Albert V appointed nine persons (*absamer*) to collect the regular and extraordinary Jews’ tax in Austria.⁷³ The *juden und judinn* (Jews and Jewesses) who were assessed for the highest sums had to prove with their oath and testimony (*mit iren aiden und kundschaften*) that they would not have been able to pay more.

Taking the Oath

As the above example shows, the property declaration had to be confirmed by an oath, by men and women alike, as was prescribed in a decree (*takkanah*) of the rabbis and community leaders of the Duchy of Austria. As a reaction to the demand of Sigismund, King of the Germans, in June 1414, to pay the so-called third penny, they ordered that ‘everyone should have his or her property registered and take an oath upon it, men and women alike . . .’.⁷⁴ The oath, as an act of public performance, took place in the public religious space of the synagogue, by reciting a solemn formula in Hebrew and touching a sacred object, usually a Torah scroll.⁷⁵ In many communities, however, women were, at least from the fourteenth century on, forbidden to enter the main hall of the synagogue with the Torah niche and the pulpit (*bimah*). It was repeatedly debated whether they were allowed to touch the Torah scroll,⁷⁶ and whether they knew Hebrew well enough to swear a valid oath. The latter problem could equally occur with uneducated men. The only oath that women usually took was on the occasion of their marriage contract (*ketubah*), and there ‘the legal custom (*minhag*) was in the whole Ashkenazi territory, that someone opens the Torah scroll for her, and then places her hand over it’, as Rabbi Isserlein’s son Petahya, named Kechel, explained.⁷⁷ However, it was not in the synagogue that women took this oath but in the law court that could be held in a building attached to the synagogue, in the courtyard of the synagogue or in a private house. Even in the Late Middle Ages it was debated whether a woman was allowed to swear an oath. Rabbi Meir bar Baruh from Rothenburg, the last great Ashkenazi authority at the end of the thirteenth century, emphasised that ‘as long as a woman lives under her husband, [she] must not be allowed to take an oath’.⁷⁸ Therefore, she had to use a legal representative to take an oath.

With the increasing participation of women in credit transactions, their share in the payment of the tax, which was so crucial for the existence of the community, increased as well. An oath was also required in court cases over properties for greater security from Christian and Jewish sides alike. As an example let me quote from an extensive expert opinion given in a court case by Rabbi Jacob Weil.⁷⁹ The lawsuit was brought to court by two female moneylenders, Lea and her stepmother Hana, who were litigating over the safekeeping of a chest of money. The rabbi also reflected on oaths taken by women and proposed, with reference to his teacher, the following solution:

Hana is obliged to take an oath on the Torah, since she had made partly a judicial confession. And I had seen that Morenu ha-Rab Jakob Molin, blessed be his memory, passed a sentence on a man who was obliged to take an oath on the Torah, so one day when a service was held, after the Torah scroll [*Sefer Torah*] had been rolled up, he went to the pulpit [literally ‘tower’, Hebrew *migdal*] and took the Torah scroll in his arm and swore an oath. For a woman, however, it is impossible to enter the men’s synagogue [*bet ha-knesset shel anashim*], as explained by Maharam [Meir from Rothenburg], since a woman cannot be the Master of the Covenant [*baal berit*], and therefore she is not allowed to go to the men’s synagogue. . . .

And the oath has to be sworn in the following way: one day when a service has been held, after the Torah had been read and rolled up, Hana has to go to the entrance of the synagogue, and the *hazzan* [singer] brings the scroll there to Hana. And he has to be accompanied by ten men, including three judges. And they have to threaten her and say: be aware that the whole world was shaking in the hour when the Holy, glorified be He, said: you must not, etc. [utter my name in vain]. And they have to speak the language that she understands and therefore the judges say to her: be aware that we do not let you swear the way you mean it, but the way God [literally: the place] does, and we let you swear as we mean it. And Hana has to take the Torah scroll in her arm, and the judges or one of them has to say: look, we let you swear in the name of the God of Israel, that you do not have anything from Lea’s property apart from 213 guilders, and the 57 guilders are not with me. With this oath you testify that you had given over the eight nobels⁸⁰ to Simon, Lea’s brother, with Lea’s consent, and with this oath you also testify that you had never been trusted with Lea’s chest [*Lad*]. And Hana has to answer: amen. And all the claims are

contained in one oath, so she need not take a separate oath about every single statement, this is how R. Izchak from Corbeille, Rashi, and Maimonides describe it.

And before Hana starts to take the oath, she has to say to Lea: look, those who make me swear an oath without ground would be banned, and Lea has to answer: amen. And the judges have to define a day and tell Lea which day Hana will swear the oath so that Lea can be present at the oath. And if Simon is there at that time, he has to be present at the oath as well, so that Hana swears the oath concerning the eight nobels in his presence.

And Hana has to pay out the 213 guilders to Lea. And she has to take the oath in the name of the God of Israel [*bashem Elohei Yisrael*], etc. And they have to say the name according to its reading [*keriato*] and if Hana does not understand the Holy Language, the judges have to explain to her its meaning [*kavvanah*]: We let you take the oath in the name of the God of Israel, etc., and the rest of the words of the oath have to be explained to her in German, and she does not have to say it in the Holy Language, except for 'Look, we let you take the oath in the name of the God of Israel', and the rest of the words in German. This is what the lesser Jacob Weil says.⁸¹

The two preserved fifteenth-century oath formulas for tax declaration, one in Hebrew and one in German, are both similar to the above quoted phrase. The first one, the Austrian tax oath from 1415 mentioned above, does not contain information on the place and procedure of the ceremony. The Hebrew oath formula was used in the process of tax collection in Mestre; here the oath was taken by a man, and he swore 'by curse and by holding the holy object, by the Ten Commandments and by the Pentateuch [*hummash*] that is in your hand'.⁸² The formula is similar to the one quoted in Hana's case. Since both men and women had to go through the procedure of tax declaration, it is logical to suppose that they were subject to the same or a similar ritual, only women probably in a neutral space that they were not prohibited from entering.

The Tax-Collector Selda from Radkersburg

The crucial importance of taxation proved an endless source of conflict both within the Jewish communities and between the Jews and their Christian overlords. As we discussed above, the community was entitled to elect their own tax officers. It was not obvious, however, whether these should be chosen from among the rich or from those members who did not directly belong to any of the great clans – if anyone of that sort was to be found at all. Rabbi Isserlein suggested a pragmatic solution: since all the members of the community, even those who did not directly belong to any of the great families, lived under the influence of the rich, it would be wiser to choose from the richest.⁸³ Thus both of the above mentioned functions, the *absamer* and *gaba'im*, were held by the wealthiest and most influential families of the banker and rabbi oligarchies who were mostly related to each other.⁸⁴ The Christian sources mention only male *absamer*, and the word *gaba'im* comes up in Hebrew sources only in the masculine form, too.

However, a charter from Radkersburg (in Styria) from 1338 may indicate that a woman was also chosen for this difficult task. On 8 November 1338, Selda from Radkersburg testified for herself, her husband, Izchak, and her son, Jacob, that they had agreed with the Jews of Radkersburg concerning the collection and delivery of the taxes that they had to pay to the lords and burghers of Radkersburg. The Jews of Radkersburg paid the arrears of the taxes to Selda's family, so probably she and her relatives were those who had assessed the amounts to be paid. Selda and her relatives also obligated themselves to take over all the outstanding claims of any Jews or Christians and to represent the Jews of Radkersburg in financial matters in front of the dukes, the Counts of Wallsee, or the Jews of Graz. Should the dukes, however, levy a general tax on all the Jews of the land, Selda and her family were not obliged to do any special service.⁸⁵ The charter was sealed by a Christian, with no Hebrew signatures indicated, so it was a certificate for the Christian authorities, and probably there was a Hebrew version for the Jewish community.

Correcting Germania Judaica II, where Radkersburg was described as a small Jewish settlement without a synagogue,⁸⁶ Markus Wenninger pointed out that the Jewish quarter was laid out simultaneously with the town, as early as the second half of the thirteenth century, and that there was certainly a synagogue, even if the existence of a separate cemetery cannot be ascertained.⁸⁷ Before the expulsion of the Jews in 1496, they had between seven and ten houses on the Frauenplatz, which accommodated between seventy and one hundred inhabitants. We can infer that in the fourteenth century, Radkersburg's community (*kehillah*) was small, but provided with the usual structures and organisations. Although in the charter presented above, Selda, Izchak and Jacob are not mentioned as holders of certain offices, the description of their deeds and future tasks makes it clear that they acted as *gaba'im* in their communities. Selda, the first of the issuers of the document, is the only woman from medieval Austria so far who held an official position in a Jewish community.

It is no wonder that exactly this woman had such an important standing. If my genealogical computations are correct, Selda was the grandmother of Musch, Isserlein's grandson from Marburg, one of the most prominent moneylenders of his time. Since, as Musch's Hebrew signature indicates, his father Jacob had already been dead for some time in 1364,⁸⁸ Musch named himself after his grandfather on his mother's side, Isserlein from Marburg, who was also known as a moneylender.⁸⁹ Musch returned around 1365–1370 after being exiled from Rudolf IV's territory, and received a privilege from Rudolf's successors Albert and Leopold for resettling wherever he wished with his wife Ester, their children, his sister, and his grandmother, Selda. They had to pay a yearly tax of 200 guilders, but no Jewish taxes that were levied on the community.⁹⁰ Thus, Musch followed the family tradition of his grandmother, exposing himself to conflicts between privileged individuals and the Jewish community as a whole.

¹ Klaus Lohrmann, *Judenrecht und Judenpolitik im mittelalterlichen Österreich* (Vienna–Cologne, 1990), pp. 54–84; Klaus Lohrmann, *Die Wiener Juden im Mittelalter* (Berlin–Vienna, 2000), pp. 62–67.

² Michael Toch, 'Die jüdische Frau im Erwerbsleben des Spätmittelalters', in *Zur Geschichte der jüdischen Frau in Deutschland*, ed. Julius Carlebach (Berlin, 1993), pp. 37–48, here esp. p. 37. It is not clear whether he counted only the credits given solely by women – alone or in consortiums – or included also the cases when they were mentioned together with their husbands. Therefore his calculations have to be controlled in this respect.

³ It must be noted that the edited material was calculated only on the basis of the registers, therefore, especially in the case of loans provided together by men and women, the results may contain some double references.

⁴ Eveline Brugger, Susanne Fritsch, Claudia Ham and Julia Kleindinst, "' . . . nach vnsers Landes recht ze Oesterreich, als der iudische brief sait. . .'. Regesten zur Geschichte der Juden in Österreich im Mittelalter – ein Arbeitsbericht', in *Studien zur Geschichte der Juden in Österreich*, Vol. 2, ed. Martha Keil and Eleonore Lappin (Bodenheim–Mainz, 1997), pp. 1–8.

⁵ Lohrmann, *Die Wiener Juden*, pp. 127–130.

⁶ *Quellen zur Geschichte der Stadt Wien* (hereafter QuGStW) II/1, Vienna (1898).

⁷ QuGStW III/2, Vienna (1911).

⁸ QuGStW III/3, Vienna (1921).

⁹ *Das Judenbuch der Scheffstrasse zu Wien (1389–1420), mit einer Schriftprobe* (= Quellen und Forschungen zur Geschichte der Juden in Deutschösterreich, Vol. 1), ed. Artur Goldmann (Vienna and Leipzig, 1908).

¹⁰ Rudolf Geyer and Leopold Sailer, *Urkunden aus Wiener Grundbüchern zur Geschichte der Wiener Juden im Mittelalter* (= Quellen und Forschungen zur Geschichte der Juden in Deutschösterreich, Vol. 10) (Vienna, 1931).

¹¹ Due to the high number of data, I have not been able to control yet how many women were mentioned together with their husbands. Future research should also reveal if the *Gewerbuch*, the *Satzbuch* and the *Grundbuch* overlap concerning the years 1381–1388, that were recorded in all of them.

¹² The first documented demand after a comprehensive *Judenbuch* had been set up was made by Albert II. However, only the copy of the preface from 5 June 1340, composed by his two notaries Heinrich and Eberhard, has survived, which contains strong reproaches against the unfair business practices of the Jews. See Lohrmann, *Judenrecht und Judenpolitik*, p. 157f. Emperor Frederick III attempted to control urban credit businesses more effectively and ordered that the *Judenbücher* and charters concerning the Jews be kept carefully and stored in a chest with three locks. The *Judenrichter* (Jews' judge), a councillor, and the Jewish community should have one key each. Stadtarchiv Wiener Neustadt (Town Archives of Wiener Neustadt, hereafter: StAWrN) A1 No. 4, Aidbuechel, pp. 75–77 from 4 January 1482. See Martha Keil, '. . . vormals bey der judenn zeit'. *Studien zur Geschichte der jüdischen Gemeinde Wiener Neustadt im Spätmittelalter*. Unpublished PhD dissertation (Vienna 1998), pp. 118ff. From Vienna only the *Judenbuch der Scheffstrasse* has survived (see Note 9).

¹³ See Keil, '. . . vormals bey der judenn zeit', pp. 70ff, 118.

¹⁴ On the efforts of the estates to keep a register of debts to the Jews, see David Herzog, 'Das "Juden-Puech" des Stiftes Rein', *Zeitschrift des historischen Vereins für Steiermark* 28 (1934), pp. 76–146, here p. 83.

¹⁵ StAWrN, *Satzbuch (Liber Obligationum)*, in 'Alten Satzbuch', fol. 166r–509v (= pag. 193–880), 1465–1594.

¹⁶ Martha Keil, 'Der Liber Judeorum von Wiener Neustadt (1453–1500) – Edition', in *Studien zur Geschichte der Juden in Österreich*, Vol. 1, ed. Martha Keil and Klaus Lohrmann (Vienna–Cologne, 1994), pp. 41–99, see above all p. 41, p. 52, note 14, and p. 59, to entry 45.

¹⁷ Keil, '. . . vormals bey der judenn zeit', pp. 105–109. The somewhat exaggerated expression 'Gedenkbuch' refers to one or more folded parchment sheets.

¹⁸ *Jüdisches Lexikon*, Vol. 2 (Berlin, 1927, repr. Frankfurt/Main 1987, 2nd edition), col. 264–267, Entry 'Eherecht' (Eheliches Güterrecht). See also Martha Keil, "'Maistrin" und Geschäftsfrau. Jüdische Oberschichtfrauen im spätmittelalterlichen Österreich', in *Die jüdische Familie in Geschichte und Gegenwart*, ed. Sabine Hödl and Martha Keil (Berlin and Bodenheim–Mainz, 1999), pp. 27–50, here pp. 28–30.

¹⁹ Isserlein bar Petahya, 'Terumat haDeshen', Part 1, *She'elot u-Teshuvot*, No. 350 and Part 2, 'Pesakim u-Ketavim', ed. Izchak Abitan (Jerusalem, 1990), No. 232; see also Irving A. Agus, 'The Development of the Money Clause in the Ashkenasic Ketubah', *The Jewish Quarterly Review* 30, No. 3 (January 1940), pp. 221–56, here p. 222.

²⁰ Michael Toch, *Die Juden im mittelalterlichen Reich* (= Enzyklopädie deutscher Geschichte, Vol. 44) (Munich, 1998), p. 15.

²¹ Martha Keil, "'Petachja, genannt Zecherl": Namen und Beinamen von Juden im deutschen Sprachraum des Spätmittelalters', in *Personennamen und Identität*, ed. Reinhard Härtel (= Grazer grundwissenschaftliche Forschungen, Vol. 3 = Schriftenreihe der Akademie Friesach 2) (Graz, 1997), pp. 119–46.

²² Steirisches Landesarchiv (Archives of Styria, hereafter: StLA), No. 5790 from 27 April 1442. Published (without the Hebrew signature) in Artur Rosenberg, *Beiträge zur Geschichte der Juden in Steiermark* (= Quellen und Forschungen zur Geschichte der Juden in Deutsch-Österreich, Vol. 6) (Vienna and Leipzig, 1914), p. 167, No. 19. The formula of confirmation is the following: 'I, the undersigned, make it known to everyone that everything that is written above in pagan (literally: Aramaic) letters, is my will and my request. These are the words of Plimel, daughter of Morenu ha-Rav Aron, the martyr (*kadosh*) of blessed memory.' The adjective in her father's name refers to his violent death at the Vienna *gesera* in 1421.

²³ StLA No. 7252c from 21 June 1468. Juda Keschl is mentioned in the same charter as *Juda Jud Keschleins sun*.

²⁴ Lohrmann, *Judenrecht und Judenpolitik*, p. 136; see also the Index on David Steuss, p. 337.

²⁵ Haus-, Hof- und Staatsarchiv Wien (hereafter: HHStA), Allgemeine Urkundenreihe (hereafter: AUR), 9 November 1372.

²⁶ On the variants of the name Mirjam see Alexander Beider, *A Dictionary of Ashkenazic Given Names. Their Origins, Structure, Pronunciation and Migrations* (New Jersey, 2001), p. 245.

²⁷ Examples in Keil, 'Petachja, genannt Zecherl', p. 139.

²⁸ StLA U. D/21 (old ref. no.), 28 November 1496, printed in David Herzog, *Urkunden und Regesten zur Geschichte der Juden in der Steiermark (1475–1585)* (Graz, 1934), p. 13, and StLA U. D/25 (old ref. no.), 29 May 1499, printed in Herzog, *Urkunden und Regesten*, p. 13 f.

- ²⁹ *Jüdisches Lexikon* Vol. 6, No. 2, Col. 1249 f.
- ³⁰ StLA nr. 7952, 12 May 1483. Summary in Herzog, *Urkunden und Regesten*, p. 60, No. 83. Selda is the only female moneylender in the *Judenbuch* of the Abbey of Rein. She is named after her grandfather here as well. See Herzog, *Juden-Puech*, p. 112, ad fol. 21.
- ³¹ StLA (without signature), 18 January 1487. Summary in Herzog, *Urkunden und Regesten* p. 61, No. 88. Milka, although married, sells alone a vineyard that probably fell upon her from the *ketubah* of her late first husband, Eisak, Liebl's son.
- ³² Herzog, *Urkunden und Regesten*, p. 67, No. 121, Note 2. He refers to a charter of *Israehel*, who lived *die zeit zw Gretz*, from 23 May 1490. He confirmed the document with the sentence '*Ich Isserlein piken al das war un stet zu halden, was in dem prib geschriben stet*'.
- ³³ This confirmation from 5 December 1367 is added to a charter of Shemarya/Freudmann. HHStA AUR, 15 July 1368. Printed in Shlomo Spitzer, 'Hebräische Urkunden des 14. Jahrhunderts aus Kärnten', *Carinthia* 1, (1984), pp. 141–54, here p. 146 ff., No. 3. At that time Shemarya, named Freudmann, was still a Jew; he converted and took the name Paul at baptism shortly afterwards. His father Mordechai was probably Merchel von Murau, who can be documented from 1329. See Wilhelm Wadl, *Geschichte der Juden in Kärnten im Mittelalter. Mit einem Ausblick bis zum Jahre 1867* (= Das Kärntner Landesarchiv 9) (Klagenfurt, 1981), p. 193–209.
- ³⁴ See Erika Uitz, *Die Frau in der mittelalterlichen Stadt* (Freiburg im Breisgau, 1992), p. 45, and see also the figure after p. 64.
- ³⁵ See Shulamith Z. Berger, 'Tehines: A Brief Survey of Women's Prayers', in *Daughters of the King. Women and the Synagogue*, ed. Susan Grossman and Rivka Haut (Philadelphia and Jerusalem, 1992), pp. 73–83.
- ³⁶ Rabbi Elasar of Worms, *Hiduschim beOtiot hessronot*, quoted in Hebrew in Moritz Güdemann, *Geschichte des jüdischen Erziehungswesens*, Vol. 1 (Vienna, 1880, repr. Amsterdam, 1966), p. 230, note 5. On the same topic, see also Emily Taitz, 'Women's Voices, Women's Prayers: Women in the European Synagogues of the Middle Ages', in *Daughters of the King*, pp. 59–71, here p. 62.
- ³⁷ See note 11.
- ³⁸ *Handwörterbuch zur Deutschen Rechtsgeschichte* (HRG) (Berlin, 1971), Vol. 1, col. 1698.
- ³⁹ Gernot Kocher, 'Die Frau im spätmittelalterlichen Rechtsleben', in *Frau und spätmittelalterlicher Alltag. Internationaler Kongress Krems an der Donau, 2. bis 5. Oktober 1984* (= Veröffentlichungen des Instituts für mittelalterliche Realienkunde Österreichs, No. 9) (Vienna, 1986), pp. 475–86, here p. 483.
- ⁴⁰ Soproni Levéltár (Town Archives of Sopron) Dl. 2403 and Dl. 2405. Printed in Jenő Házi, *Sopron szabad királyi város története* I/6 (Sopron, 1928), p. 155 f., No. 146 and p. 157 f., No. 148.
- ⁴¹ Town Archives of Sopron, Dl. 2406. Printed in Házi, *Sopron szabad királyi I/6*, p. 158 ff., No. 149 and p. 160 f., No. 150.
- ⁴² Already before his expulsion from Wiener Neustadt, Slemel Behem had a second home in Sopron. See Martha Keil, 'Juden in Grenzgemeinden: Wiener Neustadt und Ödenburg im Spätmittelalter', in *Studien zur Geschichte der Juden in Österreich*, ed. Martha Keil and Eleonore Lappin, Vol. 2 (Berlin and Bodenheim/Mainz, 1998), pp. 9–33, here p. 18 f.
- ⁴³ StLA (without signature), 1489 March 10. Printed in Rosenberg, *Juden in Steiermark*, p. 174 f.
- ⁴⁴ StLA (without signature). Summary in Herzog, *Urkunden und Regesten*, p. 66, No. 116.
- ⁴⁵ E.g.: 'Malka und Sletl die Judin haben den kauff des hawss der michel Weschin angesagt zufertigen, nach dem sy dasselb hawse mit Recht gespant vnd zum Kauffen erlangt haben. Darauf ist zu Recht erkant, so nymandt fürkumpt der wider solchen kauff zusprechen hab, daz dan der kauff billich fürsich geen solle'. StAWrN li 40/2, 'Gedenckpuecher Wolfgang Pilichtorffers diezeit verweser Jörgen Schönguntner Burgermaister, p. 70 ph(intztag) vor oculi in der vasten' (10 May 1474).
- ⁴⁶ See Moses Hoffmann, *Der Geldhandel der deutschen Juden während des Mittelalters bis zum Jahre 1350* (Leipzig, 1910), pp. 95 ff. and Hans-Georg von Mutius, *Rechtsentscheide deutscher Rabbinen vor dem ersten Kreuzzug* (= *Judentum und Umwelt* 13, 1. Half-bound edition (Frankfurt/Main, 1984), p. 15.
- ⁴⁷ See note 10.
- ⁴⁸ HHStA AUR, 15 September 1477 and 12 February 1479. See Keil, '*... vormalis bey der judenn zeit*', p. 114 f. On the family tree, see Keil, *Der Liber Judeorum*, p. 288 f.
- ⁴⁹ StA Zwettl, Codex 7 (14th c.), fol. 6. On Plume and her famous family, see Klaus Lohrmann, 'Gemeinde – Haushalt – Familie. Die Bedeutung der Familie in der jüdischen Gemeinde des Mittelalters', in *Die jüdische Familie in Geschichte und Gegenwart*, ed. Sabine Hödl and Martha Keil (Berlin – Bodenheim/Mainz, 1999), pp. 9–26, here pp. 15ff. and Klaus Lohrmann, 'Die Juden im mittelalterlichen Klosterneuburg', in *Klosterneuburg. Geschichte und Kultur*, ed. Floridus Röhrig, Vol. 1: *Die Stadt* (Klosterneuburg and Vienna, 1992), pp. 209–23, here p. 218.
- ⁵⁰ HHStA AUR, 24 August 1335. Summary in Meir Wiener, *Regesten zur Geschichte der Juden in Deutschland während des Mittelalters*, Part 1 (Hannover, 1862), p. 221, No. 28.
- ⁵¹ HHStA AUR, 24 December 1339. Summary in Wiener, *Regesten zur Geschichte*, Part 1, p. 222, No. 36.
- ⁵² Niederösterreichisches Landesarchiv (hereafter: NÖLA), Privatnr. No. 279. Summary in Wiener, *Regesten zur Geschichte*, Part 1, p. 222, No. 37. Unfortunately, this document does not state the sum involved.
- ⁵³ See Matthias Kälble, 'Verfassung und soziale Schichtung in oberrheinischen Städten', in *Spätmittelalter am Oberrhein. Alltag, Handwerk und Handel 1350–1525. Aufsatzband*, ed. Sönke Lorenz and Thomas Zotz (Ausstellungskatalog Badisches Landesmuseum Karlsruhe) (Stuttgart, 2002), pp. 259–65, esp. p. 261.
- ⁵⁴ See Dölf Wild and Roland Böhmer, 'Die spätmittelalterlichen Wandmalereien im Haus "Zum Brunnenhof" in Zürich und ihre jüdischen Auftraggeber', in *Zürcher Denkmalpflege* (Bericht, 1995/96, Hochbaudepartement der Stadt Zürich) (Zürich, 1997), pp. 15–33; esp. pp. 17 ff. and p. 28 f.
- ⁵⁵ Geyer and Sailer (see note 10), *Urkunden*, p. 350, No. 1159 (13 March 1403).
- ⁵⁶ Geyer and Sailer, *Urkunden*, p. 354, No. 1171 (20 August 1403).
- ⁵⁷ See Herzog, *Juden-Puech*, p. 112, ad fol. 21. On the *juden puech* see p. 85. On the personal appearance of the creditor, alone or with his debtor, see p. 89.
- ⁵⁸ Josef bar Moshe, *Leket Josher*, ed. Jakob Freimann (Berlin, 1903, repr. Jerusalem, 1964) (hereafter: *Leket Josher*), Part 2, p. 16.

⁵⁹ Avraham Grossman, 'The Status of Jewish Women in Germany (10th–12th Century)', in *Zur Geschichte der jüdischen Frau in Deutschland*, ed. Julius Carlebach (Berlin, 1993), pp. 17–36, esp. pp. 30 ff.

⁶⁰ Isserlein bar Petahya, *She'elot u-Teshuvot*, p. 242: 'Eine Frau, die Frau eines Juden, hielt sich öfter alleine in den Häusern von Nichtjuden auf, manchmal auch in der Nacht, wie auch am Tag, wegen Maklergeschäften und anderen Geschäften, die sie mit den Nichtjuden unterhielt, und üblicherweise ging sie in die Dörfer und blieb oft alleine unter den Nichtjuden, acht Tage oder mehr'

⁶¹ *Sefer Hasidim*, ed. Parma No. 206 and ed. Bologna No. 200. Quoted in Susanne Borchers, *Jüdisches Frauenleben im Mittelalter. Die Texte des Sefer Chasidim* (= Judentum und Umwelt 68, ed. Johann Maier) (Frankfurt/Main, Berlin, etc., 1998), p. 156.

⁶² *Sefer Hasidim*, ed. Parma No. 261 and ed. Bologna No. 702. Quoted in Borchers, *Jüdisches Frauenleben*, p. 159. The same theme is treated by Isserlein bar Petahya in *She'elot u-Teshuvot*, No. 196.

⁶³ HHStA, Handschrift 'weiß' 594, fol. 62v-63r (ca. 1360). See Lohrmann, *Judenrecht und Judenpolitik*, p. 239 f.

⁶⁴ HHStA, Handschrift 'weiß' 594, fol. 71v. I thank my colleague Markus Wenninger (Klagenfurt, Carinthia) for this reference, and look forward to his publication of a hitherto unknown inventory of Sharlat.

⁶⁵ Lohrmann, *Judenrecht und Judenpolitik*, p. 225. Hatschim once declared in an agreement that 'Golda mag beleibn pei welchem tail si will, da sey ir wille und ir witzze hin trait'. HHStA Uk 24 January 1368.

⁶⁶ On the Jewish tax system, see Eric Zimmer, *Harmony and Discord. An Analysis of the Decline of Jewish Self-Government in 15th Century Central Europe* (New York, 1970), pp. 30–66.

⁶⁷ Already at the end of the thirteenth century, Rabbi Meir von Rothenburg described the procedure: 'Die Söhne der Stadt [Juden] kommen, um die Steuer des Königs einzutreiben, und sie legen jedem Mann und jeder Frau einen festgesetzten Anteil auf.' Meir bar Baruh of Rothenburg, *She'elot u-Teshuvot*, Vol. 3 (Prague – Budapest, 1895, repr. Jerusalem, 1986), No. 941.

⁶⁸ For example, the privilege of Frederic III for Muschmann, Sohn of Seklein from Judenburg, 22 December 1467, HHStA, Handschrift 'weiß' 528b, fol. 1r-1v (old fol. 14). Printed in Herzog, *Urkunden und Regesten*, EL S. XLIV f., note. 163. Lit. B: 'Davon gebieten wir . . . besonders allen vnsern juden vnd iren maisterschaftten ernstlich vnd wessen, daz sy den obgenanten Muschman juden bei disen vnsern gnaden vnd freyhaiten genutzlich vnd beruhlich halten vnd beleiben lassen vnd in darwieder nicht dringen, bekumern noch besuern. . . .'

⁶⁹ HHStA, Handschrift 'weiß' 8, fol. 113v, No. 314 (31 May 1415). See Lohrmann, *Judenrecht und Judenpolitik*, p. 295, where this and further privileges of the Jews of Linz are placed in the context of the ducal-friendly policy of Reinprecht von Wallsee, the lord of Linz castle.

⁷⁰ See note 63.

⁷¹ The Seldmannin, widow of Seldmann von Marburg, is entered into the *Memorandenbuch* of Frederic III, beside the contributions of the general Jews' Tax and other, non-Styrian Jews, with a tax of 32 Gulden. Josef Chmel, *Geschichte Kaiser Friedrichs IV. und seines Sohnes Maximilian I.*, Vol. 1 (Hamburg, 1840), p. 591 and Rosenberg, *Juden in Steiermark*, p. 75. In a verdict by Duke Albert V in 1435 her payment of 1,300 Gulden is mentioned, which Rosenberg considers a confiscation. See Rosenberg, *Juden in Steiermark*, p. 75, note 3 and Chmel, *Geschichte Kaiser Friedrichs IV.*, p. 214.

⁷² See for instance the tax incident of Ulm, which lasted from 1435 until 1440. *Germania Judaica*, Vol. III, 1350–1519, 2. Part volume, ed. Arye Maimon; see also Mordechai Breuer and Yacov Guggenheim (Tübingen, 1995) (hereafter: *Germania Judaica*), p. 1506 f., No. 25 and p. 1507, No. 26.

⁷³ HHStA, Handschrift 'weiß', fol. 104r, No. 288 (3 June 1414). Also King Sigismund's demand for the third pfennig was directed against the Jewish men and women living in the lands of Duke Albert V of Austria. HHStA, A. B. II/1/2 (= RRB, F., fol. 31).

⁷⁴ The *takkanah* has been edited by Arthur Zuckerman, 'Unpublished Materials on the Relationship of Early Fifteenth Century Jewry to the Central Government', in *Salo W. Baron Jubilee Volume* (Jerusalem, 1974), pp. 1059–95, here p. 1089, line 30 f. Original in HHStA Wien, Handschrift "blau" 5, fol. 77a-78b.

⁷⁵ See Martha Keil, 'Bet haKnesset, Judenschul. Die Synagoge als Gotteshaus, Amtsraum und Brennpunkt sozialen Lebens', in *Wiener Jahrbuch für jüdische Geschichte, Kultur und Museumswesen*, Vol. 4 (1999/2000). *Über das Mittelalter*, ed. Gerhard Milchram im Auftrag des Jüdischen Museums der Stadt Wien, pp. 71–90, esp. p. 82.

⁷⁶ See Shaye J. D. Cohen, 'Purity and Piety: The Separation of Menstruants from the Sancta', in *Daughters of the King*, pp. 103–15.

⁷⁷ Thus Petahya in a letter to his colleague Josef von Höchstättd, author of *Leket Josher*, *Leket Josher*, Part 2, p. 29. Two pages later, however, he argues that according to the Austrian *minhag* (judicial practice), women should under no condition touch any holy objects: *Leket Josher*, Part 2, p. 31.

⁷⁸ Meir bar Baruh of Rothenburg, *She'elot u-Teshuvot*, Vol. 1, (Print Cremona, repr. Jerusalem, 1986), No. 35.

⁷⁹ Jakob Weil, *She'elot u-Teshuvot*, ed. Izchak Sela (Venice, 1549, repr. Jerusalem, 1988), No. 29–32. Jakob Weil was one of the most famous scholars of his time. He was born c. 1390, studied in Mainz from c. 1422 until 1429. Rabbi in Nürnberg, then until 1438 in Augsburg, thereafter probably in Bamberg, until he finally, not later than 1443, moved to Erfurt, where he died in 1453. See *Germania Judaica* III/1, p. 46, No. 12.

⁸⁰ *Nobel*: English gold guilders, minted from 1344 onwards, especially used in the Northern and Eastern sea trade. See Michael North, *Von Aktie bis Zoll. Ein historisches Lexikon des Geldes* (Munich, 1995), p. 278 f.

⁸¹ Jakob Weil, *She'elot u-Teshuvot*, p. 25, No. 32

⁸² *Leket Josher*, Part 2, p. 36.

⁸³ Isserlein bar Petahya, *She'elot u-Teshuvot*, No. 344.

⁸⁴ On the most important rabbi and moneylender family through two centuries, see Hannelore Grahammer, 'Hetschel von Herzogenburg und seine Familie', in *Studien zur Geschichte der Juden in Österreich*, ed. Martha Keil and Klaus Lohrmann, Vol. 1 (Vienna and Cologne, 1994), pp. 100–120.

⁸⁵ HHStA AUR, 8 November 1338.

⁸⁶ *Germania Judaica* II/2, ed. Zvi Avneri (Tübingen, 1968), p. 672, where this document is mentioned, albeit without any interpretation of its meaning.

⁸⁷ Markus Weninger, 'Zur Topographie der Judenviertel in den mittelalterlichen deutschen Städten', in *Juden in der Stadt*, ed. Fritz Mayrhofer and Ferdinand Opll (Linz, 1999) (= Beiträge zur Geschichte der Städte Mitteleuropas, Vol. XV), pp. 81–117, here pp. 90–94.

⁸⁸ HHStA AUR, 19 May 1364 and 24 March 1379, signed in Hebrew with the words, 'Moshe bar Jakov, to the memory of the righteous, with blessing'.

⁸⁹ Spitzer refers to Jakob, called Tröstlein, of Villach, as Musch's father; however, this man appears as a moneylender also after 1364, so he cannot have been the deceased father of Musch. Shlomo Spitzer, *The Jews in Austria in the Middle Ages till the Reformation (1520)*. Phil. Diss. (Ramat Gan, 1974), Part 2, p. 124, No. 1026.

⁹⁰ Ernst von Schwind and Alphons Dopsch, *Ausgewählte Urkunden zur Verfassungs-Geschichte der deutsch-österreichischen Erblande im Mittelalter* (Innsbruck, 1895), p. 288 f., No. 137. See Lohrmann, *Judenrecht und Judenpolitik*, p. 235, who did not know Selda's charter of 1338.