On 23 March 1625, five years before the Great Plague would come with fury to Modena and carry off almost half its population, the Jewish festival of Purim coincided with Palm Sunday. In the latter part of the morning, many poor Jews crowded the palazzo of the 73-year-old Jewish banker Moisè de Modena (‘that old hunchback’, as he was endearingly called by his Christian clients), who lived in Via San Giorgio in Modena, as well as those of other prosperous Jews, in anticipation of receiving il buon Purim, a monetary gift for the Jewish holiday. At this time, two Christian constables, officers of the Podestà, as well as a few other Christians visited the Jewish homes in the San Giorgio quarter and the Contrada Sanguinetti, collecting these gifts for themselves, calling it a buona manza, until they reached de Modena’s home.3

At this point testimonies differ. Vincenzio, son of Don Felloni, also nicknamed the Mantuan, a 38–year-old Christian constable and delator who denounced de Modena to the Holy Office the following day, testified that when he and his colleague, the 50–year-old Cristoforo Fornavelo, entered Moisè de Modena’s house, one they had visited before, the banker rejected their request, saying more than once, ‘Become Jews, and I will give you the Good Purim’. When Fornavelo gave testimony after his companion on the same day, his report was slightly different. According to him, Moisè de Modena had said, ‘if you want to become Jews, I will give you the good Purim’, turning a command into a suggestion.4 This he had heard the Jew utter only once, nor did he state, as had his companion, that the Jew had asked them to leave. When Moisè de Modena was summoned the next day he explained to Inquisitor General Giovanni Vincenzo Reghezza that even though certain Christians had come to his house to receive the tip, he had refused to give it to any of them, since he had decided to give alms only to poor Jews at Purim, preferring to give the customary monetary gift to Christians once a year at Christmas. He told Inquisitor Reghezza he had said something like ‘You’re not Jews and this is not your festival, so I’m not giving you anything’. The Inquisitor accused the Jew of lying, and immediately charged him
with proselytizing. He was immediately thrown into the Inquisitorial prison, where he remained for ten days. On 4 April, de Modena petitioned the Inquisitor to be freed, since he was of an ‘advanced age’. He was released on bail but was not officially absolved of the offence until 29 October, 1626, nineteen months later, by Reghezza’s successor, Inquisitor Giacomo Tinti, essentially leaving the Jew as a prosecuted suspect for longer than normal.

Using a micro-historical approach again to validate this exhaustive investigation, and further exploring the subject of Jewish/Christian tensions during festivals, this chapter examines this intriguing case, using it as a meaningful indicator of broader themes and aiming to put it into its wider historical context. The charge against Moisè de Modena was ‘procuring to exhort Christians to become Jews’, an offence for which the Inquisition was given judicial authority over Jews in the sixth clause of *Antiqua iudaeorum improbitas*:

*If through the exertions, help, advice or favour of any of them [the Jews] any Christian is converted from the faith which he has once asserted, or denies it, or goes or returns to the rites, ceremonies, superstitions, or unholy services of the Jews or other heathens, or falls into any heresy, or if any of them uses money, advice, assistance, or favour of any sort to persuade a Christian to deny his faith or commit any heresy.*

The papacy pronounced the transition of a Catholic to a Jew as an inversion of the conversionary act, a falsehood which equated to heresy. Twelve proceedings were brought against Jews for this offence between 1598 and 1638, ten of them being discontinued due to lack of evidence, suggesting that Jews rarely risked such dangerous behaviour. In most of the cases Jews were accused of proselytizing neophytes rather than ‘old’ Christians but were rarely sentenced because these neophytes refused to indict them. There was only one case, in March 1609, where the neophyte Prospero Brissigheli denounced Elia, son of Amadio Salomone of Finale, and the 18–year-old Ezechiele Finzi for trying to proselytize him. The young men had met Prospero while he was on his way to Ferrara from Finale, and struck up a conversation with him. Prospero’s testimony reflects an animate and exaggerative voice of a delator, determined to condemn his aggressors. He claimed that when he told the Jews that he had converted, Ezechiele had purportedly replied to him: ‘Although you have done badly, God will forgive you.’ Prospero argued that he had retorted Ezechiele’s comment saying that he considered his action a good one, since Christ was the true Messiah. Ezechiele had allegedly replied that this was not true and that Christ was a man like anyone else. Although both Jews were tortured, Elia’s claim that Ezechiele had rebuked Prospero for becoming a Christian resulted in Ezechiele’s whipping in a public piazza of Modena.

Some of these processi uncover last attempts by Jews to bring back lost neophyte relatives, as Rabbi Isaaco Alatrini did in 1603 when he tried to persuade
his newly converted 16–year-old daughter Francesca to return to Judaism. In March 1638 the neophyte Alessandro Santoro decided to confess and admit that not only had he entered his mother’s house but he often went there to do domestic chores for her. Sometimes interaction between neophyte and Jew uncovered attempts by Jews to maintain contact with any lost Jewish soul. In 1623, Giovanna Ricci was reprimanded for failing to heed the Inquisitorial order, being accused with other Christians of fraternizing with Jews and attending a wedding in the house of the Jew Giuseppe Melli in the company of some twenty Christian friends.

In this same category of offence, two Jews were accused of bringing Christians into their synagogues. Simone Sanguinetti admitted in 1627 that his wife had told their Christian servant Giulia, wife of Giovanni Lotti, to bring two of his four small children into the Sanguinetti synagogue in Modena. Although Simone and the Christian servant Giulia were imprisoned during the investigation, they both received only a warning and were absolved. On 26 March 1630, Diomedio Galini, a Christian, delated, in a moment of panic, that Joanna Parmesanii, the daughter of Alfonso, had gone of her own accord into the synagogue in Finale. When the Inquisition discovered that Joanna was taking a Jewish child for her Jewish neighbour into the synagogue, the investigation was dropped and Joanna was given a warning not to enter the synagogue again. There were also cases where Jews appeared before the tribunal in order to prevent accusations of proselytizing, and denounced the neophytes who they claimed were bothering them. In June 1634 Giuseppe Tesceo came to denounce his nephew, alias Abraham Tesceo, a recent convert, who, he testified, was pesterling him, demanding cash. In the same month, Emanuel, a Jew, denounced the neophyte Giuseppe Maria who had been fraternizing with his family and in particular frequenting his own sister’s house. Interestingly enough, Maria was never prosecuted, but it was safer on occasions for these Jews to denounce such incidents than face accusations of proselytizing. Although these processi uncover a whole gamut of social interaction between Jews and neophytes, the Inquisition, by deploying limited strategies to regulate this contact, was only really able to touch the surface.

Tellingly, Moisè de Modena’s processo is strikingly different from these others in our period for two particular reasons. First, the dossier itself holds a collection of different documents rather than just a single copy of a processo. These documents include Inquisitor General Reghezza’s personal notes that he wrote in preparation for interrogations, the legal defence document prepared
by Moisè de Modena’s lawyers, a hastily scribbled copy of the trial given to the legal counsel with names of the protagonists changed and their ages hidden, documents written by Don Nicolai Grassetti, a magistrate in the office of the Giudici del Maleficio, confirming that the delator, the constable Vincenzio Felloni, had committed a theft in 1622, and an official document written by Antonio Coccapani, notary of the Ufficio dei Criminali of the Podestà, confirming that the two officers were serving as constables under the latter’s command. Second, these documents reflect a significant shift in effort and thought by the Jewish defendant in 1625. Moisè de Modena was one of the few Jewish suspects who decided early on in his trial to accept legal counsel and to mount a defence rather than throw himself, as had become standard, on the mercy of the Holy Office. When, in 1607, Grassino Parenti, who was accused of divination, had done the same, and had been assigned the Inquisitorial procurator Antonio Gualengi, the Jew was still found guilty and sentenced to a punishment of whipping.

Such a calculated move on Moisè’s part inevitably reveals something of the liberties and limitations with which Jewish individual suspects who chose to defend themselves were able to handle their defence and work behind the scenes during Inquisitorial prosecution. As such, his processo reveals a sophisticated level of defence to ensure absolution by a suspect who refused to remain passive. That he had money to help prove his innocence probably helped substantially. He was able to acquire the assistance of his own personal advocate, to support the work of the Inquisitorial procurator granted to him, and more importantly perhaps the assistance of the ducal secretary and former Podestà of Carpi, Andrea Codebò, who equipped the Jews with a subpoena or precetto which ordered Christian witnesses needed for the Jew’s defence to approach the Inquisition and testify. Codebò, by issuing a subpoena at the request of Modena’s advocate, rather than the Inquisition, was merely granting the Jew his legal rights.

The trial also raises questions about the process of gift-giving as a specific social practice between Jews and Christians during the Jews’ ‘carnivalesque’ Purim, which usually fell during the period of Lent or, as in this particular case, during Holy Week. It demands investigation into what was considered licit and illicit, transgressive or deviant in the Christian’s demands when he entered the Jew’s home. These issues will be discussed after a study of the trial’s operational procedures and the Jews’ defence.

**Judicial procedures**

Any suspect who was not an impenitent heretic, whose Inquisitorial investigation reached the point of closure where Inquisitorial consultants were about to decide the outcome of the case, was offered the use of legal counsel. In Italy, as
in Spain, the Inquisition was supposed to subsidize payment for poor Jews who wanted legal assistance. But when Abraamo de Abramino, a poor Jew accused of blasphemy in 1603, was considering legal counsel, and had conferred with an Inquisitorial procurator, he told the Inquisitor that he had changed his mind about taking legal aid. Did this perhaps imply that the procurator had successfully persuaded the prisoner that his case was hopeless, in which case the Inquisition would not have to foot the bill?

Henry Charles Lea argues that, in Spain, legal defence was a cunning move by the Inquisition to give the suspect the false impression that he or she had a real chance of refuting the charge. More recently historians such as Haim Beinhart and Renée Levine-Melammed show a more positive picture of the practice of defence counsel in Spain, although in reality its complicated modus operandi, which involved finding inimical witnesses who could invalidate the prosecution’s evidence and character witnesses who acted as compurgators for the suspect, rarely brought the acquittal of the suspect. The Papal Inquisition created a less multifarious procedure. Although, as in Spain, suspects were allowed to employ their own lawyers, after gaining licences from the court, and these advocates had to provide a questionnaire that character witnesses were subjected to, the main task of these men was to create an incontrovertible defence document which was presented to the Inquisitorial consultants for consideration.

In the Venetian archives there is one case of a Jew, Mandolino or Mendlin da Muggia, the Jewish banker at the seaside township of Muggia, who in 1584 chose to defend himself with legal aid before the Holy Office after being accused of threatening a Franciscan preacher, warning that he would stop the allocation of his alms unless he ceased preaching against the Jews. These alms were not Purim tips, nor is it likely that the Jew was expected to provide alms for the preacher from his own pocket. The Jew was allocated the services of three canon lawyers in the Inquisitorial court who submitted a document in his defence, which argued its points by continually referring to Inquisitorial guides and legal manuals. The document concluded with a demand that the Jew should be absolved.

The defence team also submitted, as part of their defence, copies of letters intended to strengthen the Jew’s position. Two of these letters had nothing directly to do with Mandolino’s case but proved that the secular authority wished to protect its Jews from local abuse. A third letter of 1584 from Petro Zane, the Podestà of Capodistria, confirmed his belief that Mandolino had not committed the offence and reiterated that he had already personally absolved the Jew of the same offence in his court. Mandolino was imprisoned for two and a half months, a rare event for a Jew before the Venetian Holy Office, and was sentenced to a fine of 25 ducats, despite legal representation. It seems then that in Italy, too, legal counsel did not ensure the acquittal of a suspect.
In 1625, because of Moisè de Modena’s age, he was able to leave the prison (a concession not normally granted to those who accepted legal counsel) and help prepare a more convincing defence. When requesting legal counsel, a suspect was either assigned a canon law procurator – a delegate who represented the suspect before the Inquisition, elected by Inquisitorial consultants and who usually performed administrative functions – or could find his own advocate to take charge of his case. Although the Inquisition assigned de Modena the Inquisitorial procurator, Dottore Geminiaro Teggio, who was given a copy of the interrogations, Simone de Modena petitioned the Inquisition that they be allowed to use their own lawyer, one Andrea Ledazario, who had acquired a ducal licence to serve them. Ledazario compiled a defence document purely from the testimonies and documents that the Inquisition supplied to him. Legal counsel submitted their defence document to the tribunal on 8 June 1625. The document, like Mandolino’s, began by arguing that the Jew should be acquitted, since he had been done a grave injustice. Concentrating mainly on the infamy of the constables (here named as Salustio and Zorababeli to hide their identity from the defence), points were argued with more precise references than Mandolino’s to the specific case and with continuous reference to Eymeric’s Directorium Inquisitorum. First, the two Christians had given conflicting testimony, which proved that one of the testimonies was false. Second, the two officers’ word could not be trusted, since they were ‘villains’. Third, the Christian constables were criticized for requesting alms when as soldiers they received ample wages and were not in need of charity. Fourth, in view of the bad character of the constables, it was questioned whether it was likely that the Jew would have risked putting himself in danger by proselytizing them. Fifth, the document noted that since another Christian, Faustino (here called Gamaliel), had testified on 18 April that he had been present during the conversation and had heard the Jew say that he gave il buon Purim only to Jews on Purim, Felloni’s testimony must have been false. That Felloni was cheating and a known thief was reiterated. The document then concluded that the Christians had acted out of hatred and anger and had done a grave injustice to the Jew. Interestingly enough, no mention was made of the prohibitions in canon law on Christians approaching Jews when they celebrated their own festivals, or partaking in their festive gifts.

Unlike Mandolino’s case, a final part of Moisè de Modena’s defence procedure involved the Jew being given a captiosi from the Inquisition demanding the appearance of two character witnesses willing without payment to testify in his favour. As close relatives were excluded, legal counsel attempted to show Moisè de Modena’s good reputation in the Christian community, by inviting not members of the noble or citizen class whose testimony could have probably revealed fraternization between the two, but rather men of the lower classes, those Christians who had borrowed money from the Jew.
and Giuseppe Baptista Guideri appeared on 17 April and both faced long and intense interrogations, according to the list of questions submitted by Moisè’s legal counsel. Diato told the Inquisitor that he had known Moisè de Modena for eighteen years and during that period had borrowed money from the Jew. He testified that Moisè de Modena had been ‘most cautious and precise’ in his dealings with him. But Inquisitor General Reghezza, anxious to discredit the witness, asked Diato how he could really give an accurate character description when it was doubtful that he had ever spent long periods of time with the Jew and did not know him ‘intimately’. At that point Diato conceded that he had indeed not spent sufficient time with the Jew to be sure as to his character. Turning to the offence at hand, the Inquisitor asked whether the witness knew what Moisè de Modena thought of Christians and the Christian religion or whether he had ever witnessed the Jew proselytizing other Christians. Capitulating, Diato admitted that he could not know if Moisè de Modena had committed a breach of ecclesiastical regulations.

The second witness, Guideri, a 58-year-old Christian, was summoned the same day and faced a similar intensive interrogation. Guideri had known the Jew for thirty years and had continually borrowed money on pledge. At present he owed him 10 lire. He testified:

Moisè has a very good reputation throughout the city and if he had wished to displease Christians over money transactions he could have done so. I have never heard him say anything against the Catholic religion.

When the captiosi was read to him, he told the Inquisitor that Moisè de Modena was ‘more highly regarded than any other Jew in Modena’. Not only had the Jew gone out of his way to maintain amicable relations with Christians regarding money, but he had made peace with his enemies when he could have prosecuted them in the courts, which was ‘unusual’ for a Jew. Before he was dismissed, Guideri confirmed that no one was paying him to give evidence in favour of Moisè de Modena.

Like Ziannuto, who travelled far and wide to assist his father Menocchio (the Friulian miller prosecuted for heresy by the Papal Inquisition in 1599), three of Moisè de Modena’s four sons (Angelo, Simone and Rabbi Salomon) worked efficiently and effectively to aid their father in his case. But in their efforts to succeed, they complicated matters by bringing to the Inquisition’s attention an unknown witness who had been present during the Purim incident. Although Cristoforo Fornavelo had mentioned the presence of another Christian in his testimony, Reghezza had failed to query this. One Faustino Bocello, a servant who lived in the home of Contessa Giulia Trotti, had in fact been in Moisè de Modena’s house in order to pawn a cloak on the morning of Purim, and had heard the conversation between the Jew and the constables. The Inquisitor demanded that the Jews bring in their pledge book to prove the presence of
Faustino (which might well have been how the Jews worked out in the first place that Faustino had witnessed the event). When Moisè de Modena showed Reghezza this book, it revealed that on 24 March (the day after), on folio 182, Signor Faustino Bocelli had pledged a black cloak for 40 lire that was then redeemed on 28 March. Moisè de Modena testified that in fact pledges made by Christians on Sundays were always reported as being done on the Monday to protect their Christian debtors from accusations of pawning goods on Sundays. On examining the book, the Inquisitor found no written records of Sunday activities for the months of February and March. Even though Jews were expected to respect Sundays and abstain from work on that day as well, the Jews had willingly supplied Christians with pawns, meeting their immediate needs for ready cash.

Reghezza interrogated each of Moisè de Modena’s four sons again in the hope of discovering if any of them had concealed evidence from the Inquisition regarding Faustino’s presence. Simone, Moisè de Modena’s oldest son, took responsibility and was imprisoned for ten days from 26 June to 6 July and interrogated four times. In his third interrogation he admitted that he had deliberately concealed the fact that he had gone looking for Faustino during Holy Week to ask him to testify, as he wanted to use Faustino as a witness for the defence. Simone was forced to pay a 50–scudi fine for concealing information from the Inquisition.

Simone de Modena had suppressed information regarding Faustino’s presence, probably because the de Modena family were unsure of the nature of Faustino’s testimony and whether the Christian would incriminate Moisè de Modena further. Yet once the Jews had checked with Faustino that he was favourably disposed to their father and his testimony would support his defence, Faustino himself changed his mind about providing testimony on Moisè’s behalf. At this point, Moisè de Modena’s sons quickly petitioned the ducal court and acquired a precetto from Signor Andrea Codebò, secretary of the Duke, ordering all those who needed to be examined in Moisè de Modena’s case to approach the Holy Office. No reference to this precetto was found in the ducal archive, but the procedure underlines the urgent tactics adopted by the Jews, and their expectation of ducal assistance. As a result a guard of the ducal court was sent to Faustino and ordered him in the name of the Duke to appear before the Inquisition. Was this a personal favour of Codebò, who in 1630 again helped a Jewish suspect before the Inquisition – this time Alessandro de Formigine of Finale, accused of showing irreverence to the sacrament – and managed to avert the Jew’s punishment from whipping to a fine? Perhaps Codebò’s actions reveal the venal nature of public officials in Modena, where certain individuals as part of the city’s court system of multiple noble-driven tribunals were able to provide summons to private hands. One can only speculate.
When Faustino finally appeared before Reghezza on 5 July, the Inquisitor was forced according to Inquisitorial law to interrogate him as a witness presented by the defence, despite his late appearance in the proceedings. Here he confirmed that Moisè had refused the constables request with the following words:

The words were these. When I was in the house of Monsignor Moisè, in a room where they have a fire, I was waiting for one of his sons, since Moisè had told me to wait for him and he would give me what I wanted. Then two constables arrived, and one of them was a large man nicknamed the Mantuan, who spoke to Monsignor Moisè and asked him for a tip, otherwise the Good Purim, and Monsignor Moisè replied that at Christmas he gave a tip to Christians, but the Good Purim was for Jews. The Mantuan replied, ‘Why don’t you want to give a tip? It’s the custom, you know’, or similar words, and Monsignor Moisè said that he didn’t want to give it to him, and then the Mantuan went away grumbling, saying ‘Ahh, ahh!’

De Modena’s money was also useful in providing the Inquisition with a letter written on 16 April, by Antonino Cavapani, a public notary in the secular court, which confirmed that both Cristoforo and Vincenzio had been in the service of Don Nicolai Grassetti and Vincenzio had committed a theft. When Grassetti appeared he confirmed that he had been sought out by a son of de Modena and had received payment from de Modena for coming to appear before the Inquisitor. He informed the Inquisitor that a few years previously Vincenzio had been in the service of the late Podestà and had been sent to a tavern in Modena to determine whether some gold coins in the possession of a merchant were authentic. Two of the coins had gone missing, and after a search were found in Vincenzio’s shoe. Don Nicolai Grassetti stated that all the witnesses of that incident were now dead.

These unusual procedures reveal the expensive endeavours and the remarkable collaboration of the de Modena family together with the defence counsel and ducal minister to uncover witnesses and testimony in favour of Moisè de Modena. Not only did the ducal court supply the Jews with the legal right to force a Christian witness to testify in an ecclesiastical court, but as a result of ducal support of the Jew’s defence the Inquisition was forced to accept indisputable testimony that confirmed the innocence of the Jewish suspect. As a result, a very different type of processo was formulated. When the Inquisitorial consultori met on 29 October 1626 under the chairmanship of Inquisitor General Tinti, who had succeeded Reghezza a few months earlier, there was unanimous agreement among the eight churchmen present that the Jew should be absolved.
who had the capacity to defend themselves vigorously, some of them exceptionally literate and well-educated who could clearly mount legal challenges aided by professional lawyers. Evidently it was only very rarely that Jews felt that such defence was necessary. Perhaps the involvement of legal counsel in Moisè de Modena’s case uncovers a deep dichotomy between the tensions produced by the local enforcement of canon law on the one hand and the growing strength of ducal jurisdiction and secular law on the other.

Purim activities

Elliott Horowitz’s recent book claims that Purim was intrinsically a time of ‘reckless violence’ for Jews. He argues that from the seventh to the nineteenth century Jews expressed outrage at their subjugation to Christians through ridicule, insults and on occasions even violence. It was the Purim holiday which inspired this behaviour since the story, recorded in the Book of Esther, described how in Babylon in 368 BC the villain Haman who had planned to destroy the Jews was hanged on monstrously high gallows, which itself emboldened Jews to defy their overlords. Moreover, an edict of the Theodosian code of 423–4 had set a precedent for the festival being connected to the mockery of the Christian faith, since it was believed that the Jews were not hanging Haman (as in the Book of Esther) but crucifying an image of him, which suggested that they were ridiculing Christ. Horowitz also argues that Jews in early modern Italy absorbed the ‘creative disrespect’ for the natural chain of authority that their Christian religionists demonstrated during their own Purim Carnival, creating a sense that Jews themselves, as a minority in society, could bring about their own ‘rough justice’, punishing according to David Gilmore’s words ‘deviants and wrongdoers’. But with few incidents to back his claims, Horowitz tends to rest his argument on the unconvincing historiography of this tradition rather than actual incidents themselves.

Thomas Cohen has uncovered one episode of deviance during Purim in early modern Rome in 1551, where local Jews were prosecuted after drunkenly pestering and then stealing from a Christian in the street during the festival. Although these Jews were mistakenly identified by the Christian as the police of the Campidoglio, they were not wearing any particular costume. Nor can Cohen provide, as he admits, any evidence of a connection between the Jews’ activities and the festival of Purim:

Neither the accused, who must have preferred not to nettles the Christian magistrates, nor the aggrieved Cesare [the Christian], … nor the court, which looked more to deeds than motives, mention Purim.
And yet Cohen hypothesizes that the Jews’ boisterous activities on Purim were related to their feelings of freedom connected to the ancient Purim story and experienced during this festival. Interestingly enough, judicial courts in Modena rarely dealt with accusations of violence or ‘rough justice’ of Jews during Purim. In Inquisitorial sources the only real mention of Purim besides our case study occurs in a processo against Moisè Diena, a Jewish banker in Soliera, who in 1628 was accused of employing five Christians to play music and sing in his house during the festivities of Purim. When the Christians were interrogated they admitted not only to being hired by the Jew, but also to participating in the merriment of the festival, and dancing in the large room in the banker’s home. Two similar incidents were reported in Venice in 1584 and 1589. In 1584, the Inquisition ordered the Patriarch’s vicar general in Capodistria to examine allegations that several Christian musicians had played in the home of the Jewish banker Cervo ‘per occasione del loro carnevale’. Two of the Christians, Piero and Cristoforo Piranese, had also eaten eggs, meat and fats, forbidden foods during Lent. In 1589, Giorgio Moretto, a Christian sailor, was prosecuted for judaizing and also for eating ‘capons and roast meats’, forbidden to Christians in the ghetto during Purim.

If evidence of aggression is missing in Modena and Venice during the festival of Purim, it can be suggested that Jews often celebrated this festival behind closed doors, being sensitive to the tense Lenten or Holy Week atmosphere. Even if Jews wore masks and put on plays within their homes and synagogues, as Shulvass suggests, there remains no real complaints of disturbances. Moïse de Modena’s processo shows Jews keeping their festival of Purim hidden from the austerities of the surrounding Christian population on Palm Sunday. No Christian delator or witness mentioned any Purim revelry in any of the homes that they entered.

In reality the atmosphere in Moïse de Modena’s on Purim morning was far from festive. When his wife, Mariana, was summoned to the Inquisition, she described how on the day of Purim she had been looking after a sick daughter-in-law whose newborn infant had died the previous day, and they were busy preparing the infant’s body for burial. She told the inquisitor:

I do not know who was present because that morning there was a multitude of people, [when] the body was prepared for burial, besides which we had watched for eight or nine nights over the infant who died.

Moïse de Modena too did not hesitate to imply that the coming and going of a large group of people had been trying for him.

It is a day on which one must suffer the multitude of people that come to the house to take the Good Purim.
According to Mariana, 400 Jews listed on the registry of the Università, out of a Jewish population of 750, had passed through de Modena’s home that morning to collect alms. Mourning practices prior to burial did not dispense Jews from the religious commandment of giving alms to the poor.

Nevertheless, the narrative between the constables and Moisè de Modena still needs to be decoded. That the Jew probably never said the words that Vincenzio accused him of implies yet again that he was conscious of ecclesiastical regulations during this time. Yet what matters more is Vincenzio’s decision as to how he would treat Moisè de Modena’s refusal of the buona manza. His anger or frustration at being denied his tip prompted him to inflate the event into an offence on Moisè de Modena’s part. Perhaps, as both Thomas Cohen and David Nirenberg have confirmed, the intensity of emotion during the period of Lent and Holy Week, which was often construed by Christians as a time of aggression, particularly against Jews, affected the constables and spurred their sense of vengeance. Vincenzio, despite his own criminal record, turned to the Inquisition because it was here that he believed he could make an effective delation. He had himself served as an Inquisitorial constable in 1620–24 and had been responsible for the delation of Jews for offences such as blasphemy and the hiring of Christian servants. One Jewish suspect, Ruggiero Mariano, testified in 1624 that Vincenzio had arrested him. Vincenzio knew the mechanism of the Inquisition well enough, or so he thought, to successfully incriminate a practising Jew.

**Gifts and tips**

In our efforts to discover the status and meaning of Moisè de Modena’s rebuff of Vincenzio in 1625, we must begin with the partial information we have on our protagonists. Moisè de Modena, cousin of the famous Rabbi Leone de Modena of Venice, a member of one of the most influential Jewish families in the city, was a leading banker and an important patron of educational and philanthropic projects in the city capital. His family had arrived in the fifteenth century from France (probably Provence) and established the first Italian synagogue in Modena. In the seventeenth century the family expanded their economic pursuits from banking to skilled gold work and silk producing. Living in the sestiere of San Giorgio, where the Jews’ homes were scattered among those of Christians, Moisè de Modena housed in his palazzo not only one of the city’s five synagogues (a private oratory), but also a school and a library. Federica Francesconi sees this library as representing ‘a sort of cultural “encyclopedia” for the entire Jewish community.’ Here he also maintained a loan bank in which three of his four sons worked as well as his wife, Mariana, providing loans of
various kinds, often on the security of pawns. Whether at the advanced age of 73 he still participated in the giving of loans cannot be confirmed, although his character witnesses implied that he was still well known and liked in the Christian community. In competition with the existing Monte di Pietà, which had been founded in Modena in 1494 and renewed in 1555, this particular Jew had established a good reputation as a banker who provided favourable conditions for those middle- to lower-class Christians needing to pawn privately with few questions asked. He died in 1630, at the age of seventy-eight.

Vincenzio Felloni and Cristoforo Fornavelo were constables in the service of the local Podestà (or governor). Since no police institution existed in Italy prior to the nineteenth century, each local secular and ecclesiastical court had its own officers or constables under the control of a captain or bargello, executing the orders of the particular judiciary. Steven Hughes argues that most constables were conscripted from the criminal class, and were in general undisciplined, disreputable, poorly paid and corrupt. These constables acted aggressively and even violently against local inhabitants, including Jews, although there is no proof that their actions were particularly anti-Judaic in character. Without uniform and identified only by badges, the constables usually patrolled local streets with an intimidating array of weapons.

On their rounds, day and night, Hughes argues, these men would often pressurize local inhabitants to give them tips, gifts and honoraria. In fact, in Venice in the same year as our processo, a report of the Cattaveri, defending its jurisdiction over the Jewish community before the Collegio, noted that messengers or fanti of the Cattaveri had in previous years approached local Jews for tips on Purim, only to be reprimanded by the court for their actions and told that demanding such tips was forbidden. That Felloni and Fornavelo would try to capitalize on the Jews’ custom of giving alms to the poor was not unusual. Not only had they been in the homes of other Jews and been handed tips in 1625, they made it clear that in previous years Moisè de Modena himself had provided them with gifts as well as pledges when necessary. The custom of Jews giving non-Jews tips or protection money at Purim time had originated in medieval Ashkenaz (Franco-Germany), where Jews particularly gave presents to their own Christian nursemaids and servants, often in preference to the Jewish poor. This action was criticized by Rabbi Solomon b. Isaac (Rashi), the eleventh-century biblical commentator, who argued that non-Jews should not be included in a Jewish religious ceremony. Despite this, the custom seems to have widened in the fifteenth century, when Dean Philip Bell found evidence in Nuremberg of Jews sending presents to their Christian neighbours on Purim.

But gifts from Jews to Christians must be construed differently from those they bestowed on fellow religionists, which acknowledged the relationship of dependence between rich and poor within the same community.
or tips given to Christians could be construed as bribes, attempts to soften relationships or requests for protection, alliance or advancement, or perhaps even recognition of services rendered. Benjamin Ravid notes that in 1634 the Venetian Jews’ gift-giving on Purim to the ministri of the Sopraconsoli, although criticized, was understood as representing Jewish bribes to prevent these ministri from reporting the Jews’ commercial violations to the Venetian authorities. In 1625, was de Modena’s rebuff of the constables one of those ‘gifts gone wrong’, as Natalie Zemon Davis saliently calls them, gifts receivers believed they were entitled to but never received?

Whether there was a personal grievance between the two cannot be confirmed. Simone de Modena testified that the reason he had come to learn of the nature of his father’s offence was because Vincenzio had been bragging publicly to other Jews that he had brought about his father’s imprisonment. It is here that one senses Vincenzio’s bullying nature:

I have understood from various people that the Mantuan went round talking about it. He told some other Jews to take care not to defy them like my father, who was sent to prison for refusing to give them a tip.

Yet Moisè de Modena did all he could to hide any personal animosity he held for Vincenzio, testifying that he did not know Vincenzio’s name nor was the rebuff personal, but represented a general decision he had made not to provide Christians with il buon Purim. It was obviously better to show the Inquisition that Jews tipped Christians only on their festival of Christmas, than suggest that they were invited to receive a gift from the Jew on his festival. Moisè de Modena testified:

There came many Christians to ask me individually for the Good Purim and there also came the officer of the Holy Office. There were also the officers who serve the Signor Podestà, two of them, but I do not know their names. Likewise the ones who guard the [town] gate … Father I did not give them anything, because one makes them a gift at Christmas, and Purim is for the Jews.

But what the processo does reveal is a fine sense of de Modena’s calibration of obligation, constraint and refusal. On Purim, Moisè de Modena was obligated to give charity to his own kind, reaffirming before the community who petitioned him his position as one of its leaders. Purim gift-giving was a conspicuous public statement despite the fact that it was within his home, a presentation and performance of social relationships which had its own system of rules, obligations and constraints. Vincenzio Felloni’s demand for the customary protection money, whether or not it came with a history of a grievance, was refused in order for Moisè de Modena to maintain his position of control over whom he chose to give to in his own home. In effect, this claim for territory contrasted with his obligation the rest of the year to provide pawns to any type of person who approached his bank. As a member of a community who often ignored
ecclesiastical regulations, who allowed Christians to enter his home on Purim as well as at other times, as guests, as hired helpers and as debtors, he was in fact confirming his authority over what the Christian could expect to receive in a Jew’s home. But, more so, Moisè de Modena’s rebuff of the constables asserted the internal mechanisms and modalities of his own society vis-à-vis the Christian one, imposing social regulations on the Christian in order to defend and maintain the Jews’ religious otherness, identity and isolation.

Such action always had a price, and Moisè de Modena faced a long and costly trial as a result of Vincenzio’s delation. But just as he had refused to submit to the demands of the constables, Moisè de Modena maintained his independence and did the same in the Inquisitorial courtroom, using legal counsel effectively to refute the accusation against him. As a result of his firm and principled stand, the historian is able to appreciate in finer detail the tenuous legal hold the Inquisition retained over professing Jews in Modena. The tribunal’s belief that it could monitor the Jews in the ducal capital independently of the Duke was unrealistic.

At the same time the historian uncovers levels of familiarity and contact between Jews and Christians during Purim that had not been suspected. Not only were Christians invited to Jews’ homes to participate in celebrations of the festival, but Jews were willing to provide Christians with immediate loans on Purim and even generally on Sundays and during Holy Week, concealing this activity in their pledge books from the watchful eyes of authority. Such support for the ‘other’ seemed to work both ways, and the willingness of Don Lodovico Diato and Giuseppe Baptista Guideri to provide character testimony on the Jew’s behalf in an ecclesiastical court shocked and angered Inquisitor General Reghezza, since it not only smacked of familiarity between Christians and Jews but represented the very breach of ecclesiastical regulations that the Holy Office was desperately trying to eradicate.

Notes
1 Because this processo is made up of many different documents, folio numbers will refer to the main processo only. See ASMofIP 77 f.14 (12r), the testimony of Don Lodovico Diato, who calls Moisè de Modena ‘quel vecchio gobo’. The notary also notes that Moisè is seventy-three years old (2v). Here Moisè de Modena testifies that he lives in the Jewish quarter in Via San Giorgio.
2 A ‘buona manza’ means a general tip rather than one connected specifically to the festival of Purim.
3 See ASMofIP 77 f.14 (1r) (fatteri hebrei, ch’io vi darò Bon Purim). These Christians admit to the Inquisitor that they had been in the Jew’s home before. Vincenzo Felloni told the Inquisitor that he knew the name of the woman – Moisè’s wife or a member of his household – who received pledges and paid out cash against them.
4 Ibid. (2r) (Non ci fu detto altro, senon che Monsignor Moisè da Modena, quando gli dimandassimo il Bon Purim, che disse se vi volete far hebrei, vi darò il Bon Purim).
5 Ibid. (9r) (età grave).
6 Bullarium, vol. VIII, pp. 378–9. For commentary and a summary of the bull see, Stow, Catholic

7 Del Col, L’Inquisizione, p. 460 describes the interesting but rare case of Leandro Tisanio of San Vito al Tagliamento, son of a shoemaker, who chose to convert from Catholicism to Judaism in 1610. It is not clear whether his change of religion was influenced by any personal contact with Jews.

8 See ASMoFIP 35 f.10 and ASMoFIP 38 f.16.

9 ASMoFIP 36 f.2 (1v) (Che Dio te lo perdoni, tu ha fatto male).

10 Ibid. See also Balboni, Gli Ebrei, p. 57.

11 ASMoFIP 77 f.14.

12 ASMoFIP 65 f.3.

13 ASMoFIP 107 f.12.

14 ASMoFIP 65 f.4.

15 ASMoFICH 245 f.56.

16 ASMoFIP 96 f.8.

17 ASMoFIP 96 f.17.

18 ASMoFIP 77 f.14. See the defence document held in this dossier and the hastily scribbled copy of the trial. The notary copied the interrogations, changing the names of the denouncer and his colleague and recording Moisè as being a thousand years old to hide his identity, but at the same time carelessly missing out certain details of the original recording.

19 See ASMoFIP 31 f.12.


21 ASMoFIP 29 f.17.

22 See Pullan, Jews of Europe, pp. 109–11.


25 In Spain, suspects were also allowed to choose from both advocates and procurators, see Lea, A History, vol. III, p. 43.


27 Ibid., p. 85. Apparently Mandolino was successful in preventing the friar from giving sermons.

28 Ibid., p. 90.

29 Ibid., pp. 91–3.

30 Ibid., p. 94. These included a copy of a letter from Doge Andrea Gritti (1523–38), in 1538 to the local Podesta, Luca Giorgio, in favour of the Jews of Capodistria, overturning the local bishop’s ban on the Jews’ commercial activities, as well as a copy of a letter from Doge Pietro Lando, Gritti’s successor in 1539 (who ruled until 1545), who had ordered the local bishop not to molest the Jews but to allow them to live peacefully as their condotte demanded.

31 Ibid., pp. 95–6.

32 See ASMoFIP Miscellanea 1620–40, busta 295, ‘Modo et ordine che osserva il R. Padri Inquisitori nell’essercitare il suo Officio nella città di Modena’, which states that suspects ‘who defended their case were always kept in prison, to dispel any suspicion that they had been suborning witnesses’.

33 Ibid. This was standard procedure. The manual notes that any lawyer who served the suspect was expected to acquire a licence either from the Duke or one of his secular courts.

34 See ASMoFIP 77 f.14 (1v).

35 Ibid. See the first page of the defence document: ‘Reverend Father, I think that Moisè de Modena, charged by the most holy office of the Inquisition with persuading two Christians to become Jews if they would accept from him what was accustomed to be given at his home
at the time of the Jewish carnivals and called by another name (the good Purim), can in all conscience be absolved from the charge'. (Rev. pater, Moisè de Mutina hebreo’ officio sanctissime Inquisitionis impatuat ut persuaserit duos Christianos ad facienda de hebreos, si ab eo vellent accipere domum solitum dare in tempore carnalis hebreis also nomine vocatum (il bon Porrim) esse in casu absolutionis tutta conscientia affirmari posse existimo.)

36 Church sources as early as the Byzantine period (see Linder, The Jews in the Legal Sources of the Early Middle Ages, p. 66) already forbade any Christian accepting festive gifts from Jews. The punishment for clergy was dispossession, for laymen excommunication. Then the Council of Laodicea in 956 (Linder, doc. 566) noted on those who receive from heretics and Jews festive gifts. Now oporteat a iudaeis – that it should not be proper to receive from Jews and heretics the festive gifts that they send or to celebrate holidays with them. This was repeated at the Council of Toledo IV (Linder, doc. 586) and at the Poenitentiale Pseudo-Theodori (Linder, doc. 602), where once again a punishment was stipulated.

37 See ASMoFI Miscellanea 1620–40, busta 295, ‘Modo et ordine che osservia il R. Padri Inquisitori nell’essercitare il suo Officio nella città di Modena’, which describes such a document as a ‘cavillosi’ or a ‘captiosi’. It is a document that confirms the suspect’s good character, stating that he was honourable, and fair in his negotiations and dealings. See ASMoFIP 77 f.14 (12v).

38 ASMoFIP 77 f.14 (12v).
39 Ibid. (13v–14r).
40 Ibid. (14v).
41 Ibid.
42 Ibid. (15v).
43 Ibid. (16r) (ha fatto la pace a ch’l’amazzo amicabilmente se bene sapeva ch’erano statti et non volse procedere contro d’loro per giustizia, lo sò anco perchè quando ha havuto da fare con delli Christiani un occasione d’havere ed era andato con loro facendogli quelli a piaceri insoliti da Hebrei).

44 Ibid.
45 See Carlo Ginzburg, The Cheese and the Worms (London: Routledge and Kegan Paul, 1980), p. 7. See also ASMoFIP 77 f.14 (6v): Aaron tells the Inquisitor in his interrogation on 1 April 1625 that he has no contact with his father. Note too, on 35v, that Moisè’s sons even left home during Holy Week curfew to further their defence. When Faustino was interrogated on 5 July, he admitted that one of Moisè’s sons had come to find him, ‘while the bells were tied’ – that is, during Holy Week. See Chapter 6, p. 215 n.63.
46 ASMoFIP 77 f.14 (21r) ‘This is my way of doing things. If there are pledges on the Sunday, one never writes them down on the Sunday. That which is done on the Sunday is recorded the following Monday, as one is able to see throughout the whole book.’
47 Ibid. (Et cum fuerit facta perquisitio libri ab Reverendo Padre Inquisitore inventum est, quod in die domenica, non reperi aliqua partita scripta per totum mensem Martij, et Februariij.) Interestingly enough, in ASMoAME busta 15, a document of 31 December 1619 notes that from that date Jews were no longer allowed to write in Hebrew in their pledge books, but only in the Italian language, a ruling that was clearly adhered to. This confirmed the ruling in the Papal bull Cum nimis absurdum of 1555, which stipulated in Clause eight that they had to use the Italian language when recording loans. See Stow, Catholic Thought, pp. 33–4.
48 Ibid. (31r). ‘Even though it is true that when I was examined I had known that the Signor Faustino was present when my father and the officers argued on the day of Purim, I did not say it because it was not the right time. I felt that it should be said only at the time of defence. It seemed to me that it was needed only at the time of defence.’
49 Ibid. (37r).
50 Ibid. (36r). When Faustino was interrogated on 5 July, he told the Inquisitor that he had only come to give testimony because of an order from Signor Andrea Codebò. He elaborated: ‘Two or three days before the command, the sons of Moisè were looking for me, and I said what do they want. They would like me to go and be examined, but I don’t want to be examined,
because these words would have to be reported, and for that reason they had the command issued to me.'

51 Ibid. (8r). When asked how he expected to prove that the testimonies of the constables were false, Moisè de Modena hints in his testimony at the involvement of the duke in his affairs. 'This will be easy to prove and I have the good fortune to prove these things because I have proven them also before the Signore Duke as a falsity.'

52 There was no record of this precetto, in any of the buste of the ducal archive in the Archivio di Stato such as the ASMo. Note in Archivio Storico Communale, Registri delle deliberazioni consiliari del Comune di Modena dal XIV al XVIII secolo, Vachette busta 192, 1625 Atti della comunità, Vachette busta 193, 1626 Atti della comunità. Also in the Vachette raccoglie le decisioni collegiali dei Sapienti dei Conservatori della comunità or in the Archivio per Materie.

53 ASMoFICH 245 f.53. Inside this dossier is a letter from Signor Count Andrea Codebò in favour of the Jew ordering Inquisitor Lerri to change the punishment.

54 ASMoFIP 77 f.14 (35v–37r). The Inquisitor questioned Faustino further. How close had he been standing to the protagonists when they had this conversation? Was it possible that he had missed some of the words that Moisè had uttered? Faustino confirmed that he was close enough to hear the whole conversation.

55 Ibid. (70r).

56 Ibid. (28r–v). Don Nicolai Grassetti told the Inquisitor: ‘credo che mi dasse mezzo talero in pagamento’. This ‘thaler’ was a German, Austrian or Swiss silver coin, which might have been used when lire, ducats or scudi were short. I thank Brian Pullan for this reference.

57 Ibid.

58 Horowitz, Reckless.

59 On the celebration of Purim in Italy, see the work of Pier Cesare Ioly Zorattini, Una salvezza che viene da lontano: I Purim della comunità ebraica di Padova (Florence: Olschki Editore, 2000).

See Timothy C.G. Thornton, ‘The Crucifixion of Haman and the Scandal of the Cross’, Journal of Theological Studies 37 (1986), 419–26; and Joseph Shatzmiller, ‘Desecrating the Cross: A Rare Medieval Accusation’ (in Hebrew), Studies in the History of the Jewish People and the Land of Israel 5 (1973), 159–73. See also Linder, The Jews in the Legal Sources of the Early Middle Ages, p. 48. Here Athanasios of Emesa, a Byzantine lawyer, compiling a systematic selection of the Novels of Justinian, in his Epitome of the Novels, noted that ‘Jews should not put on fire the figure of the cross in the form of Haman, or they shall forfeit those religious matters that they were previously granted’.


62 See also ASMoFIP 38 f.16. Here Baraldo de Viandere, a Christian, was denounced on 10 July 1610 for singing in the home of a Jew during festivals, although the statement does not clarify which festival it was. No investigation at all was carried out after this delation.

63 Ioly Zorattini, Processi, vol. VI, pp. 71–9, p. 76.


66 ASMoFIP 77 f.14 (6r).

67 Ibid. (20r).

68 Ibid. (6r). ‘All those Jews who take charity from the Università, there has to be around 400 of them, go to all the other Jews who do not take alms and ask for the Good Purim.’ That the bestowing of Purim alms might have been a well regulated task, handled by the Università itself, can be suggested because of the records dating from 1660 of varied amounts according to the means of the giver and the needs of the recipient, that well-to-do Jews were to give poor Jews on Purim. See ACEMo filza 2.55 Note delle elemosine settimanali, regalie di Purim ed Azime dispensate dalla nostra università a poveri 1660–1791.


70 See ASMoFIP 57 f.21.
PROSELYTIZING AT PURIM

72 ASMoFIP 73 f.8. Testimony of Ruggiero Mariano.
73 See ASMoFICH 244 f.32. In this processo against a Spanish Jew, Israel, for blasphemy, Felloni delated the offender, which led to a full-blown trial, imprisonment and a fine of 100 scudi.
74 On the family of Moisè de Modena, see Francesconi, Jewish Families, pp. 68–71.
75 See ASMoAME, busta 18B, carte 40–41 and busta 15, fascio n.8.
76 Ibid., busta 4, 1618 for records of Moisè de Modena’s credit arrangements with various Monté in the city.
78 ASMoFIP 77 f.14 (1r). According to the testimony of Vincenzio Felloni in his delation, it is Mariana who gives cash to the Christians when they come to pledge.
81 See ASMoFIP 45 f.9. In September 1615, Mosè Anagnoli, a Jew among a group of five Christians, was interrogated by the Inquisition for throwing stones and trying to free a Christian whom a local constable had tried to arrest. Nor were such brawls confined to Modena. In Rome in 1611, one Beniamino Giuseppe Sereni argued that he had not been fairly treated by a local constable who had blamed him for an episode of violence, when he had clearly been the victim of the attack. See Archivio di Stato di Roma, Relazione dei Birri, busta 104, Rome, 20 January 1611. I thank Kenneth Stow for this reference.
82 Hughes, ‘Fear’, p. 97.
83 Ibid., p. 101.
85 ASMoFIP 77 f.14 (2r). Cristoforo Fornavelo testified that he and Vincenzio Felloni had also gone into other Jews’ houses besides Moisè de Modena’s: ‘Father yes. Yesterday I was in the house of many Jews, in order to go and collect the tip which they call the buon Purim, because they are celebrating their carnival and in particular we were in the house of Monsignor Pellegrino Sanguinetti, and Monsignor Samuel Sanguine and Monsignor Simone Sanguine, and Monsignor Moisè de Modena, banker and others.’
87 See Baumgarten, Mothers, p. 132.
I also thank Benjamin Ravid for this reference. See Archivio di Stato di Venezia, Senato, terra, filza 368, 29 December 1634.


ASMoFIP 77 f.14 (33r).

Ibid. (3r).


Elliott Horowitz, ‘Family and their Fortunes: The Jews of Early Modern Italy’, in David Biale (ed.), *Culture of the Jews, A New History* (Oxford: Oxford University Press, 2002), 573–636, 581, notes that in March 1580 at the time of Carnival, the *Università* of the Jewish community of Padua tried to prevent intimate contact between Jews and Christians. One of the complaints was that Christians danced with Jewish men and women in the Jews’ homes at this time. For examples of this in Modena, see ASMoFIP 67 f.21. Here, in 1623, Davide Diena, a banker in Soliera, was accused of inviting Christian guests to his family celebrations and hiring Christians to sing in his house as well as serve him food. See ASMoFIP 77 f.14 (3v). Even if the Jews were eating feasts of roasted meat, Moisè confirmed that he had refused the constable’s request for food when they approached him: ‘They showed a desire to have something to eat and I said to them that I did not want to break the orders of your Reverence.’ Interestingly enough, in Giorgio Moreto’s *processo* before the Holy Office in Venice in 1589 for judaizing (see Pullan, ‘The Trial of Giorgio Moreto’, p. 167), his anonymous delator condemned him for eating and enjoying merriment with the Jews during their Carnival and his Lent. His delator stated: ‘he eats and goes masked and makes merry in such a manner as to make no distinction between Lent and Carnival.’