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“How Could Their Food Not Be Impure?” Jewish Food and the Definition of Christianity”
by
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Freidenreich’s argument that late antique and early medieval Christians, both eastern and western, used two tactics, one, to identify Jews with Pagans/Gentiles whose food one should not eat because they sacrificed to idols, and two, to treat Jews as heretics and sinners, namely as insiders-gone-wrong, whose food one should not share following the Pauline dictate (1 Cor. 5:11), is an astute one. The simultaneous application of these two polemical approaches, coupled with accusations that Jews were violent shedders of blood because of their role in killing Christ and their literal, bloody sacrifices, dictated by the Bible, made Jews the impure antitheses of Christians on a number of fronts. Ultimately, this approach marked Jews as not just impure because of their actions or food, but as inherently impure themselves – a unique rhetorical move by Christians in the use of impurity and food-based polemic, in comparison to various Jewish and Muslim tactics, according to Freidenreich. This radical move fulfilled the Christian need to create a dualistic opposition between themselves as holders of the truth, and Jews, who, by necessity, had to be wrong for Christian claims to be right (on Christian dualistic self-definition in relation to Judaism, see Freidenreich’s discussion and cited scholarship on p. 110). These rhetorical strategies in late antique and early medieval legal texts, which Freidenreich analyzes, functionally parallel other, non-legal food-based polemics that early Latin Christians used to designate Jews as profoundly and inherently impure, namely Christians’ comparison of Jews with animals, such as the pig, hare, or hyena, who according to Jewish law, were designated as impure and/or were seen as being consumers of impure foods.¹ Freidenreich’s analysis reminds us that law can function as hermeneutics and polemic as much, if not more, than as an effort to practically deal with social or political realities. Such a realization has broader implications for how we should study and understand law, religious or otherwise, in any age or context.

His analysis of the construction of Jews as the impure antitheses of Christians, more impure even than Pagans or heretics, is thought-provoking and convincingly argued. What I find less convincing his insistence that certain very early law collections, such as the Canons of Elvira (c. 305-306) and a series of Canons in various regions of Gaul, existed only in order to create a “hermeneutical Jew” as an oppositional foil through which Christians could construct their own identity, and have no basis in actual Jewish-Christian interactions (pp. 113-116). Freidenreich’s argumentation is based at least in part on Jeremy Cohen’s formulation, though discussions about how much Christian anti-Jewish polemic reflects any grasp of “real Jews” before the twelfth or thirteenth century is a long-standing one.² In regards to these early canons, Freidenreich readily admits that he is on one side of an ongoing debate, and that a

¹ See for example Rabanus Maurus (780-856 CE) who says that Jews are filled with unclean things, a condition they pass on to children. Rabanus Maurus, *De rerum naturis*, in *Patrologia Latina*, 111, ed. Migne (Paris, s.n., 1852-86) cols. 206-207; Isaiah Shachar, *The Judensau: a medieval anti-Jewish motif and its history* (London: Warburg Institute, 1974) 4-8; A. Cuffel, *Gendering Disgust in Medieval Religious Polemic* (Notre Dame: University of Notre Dame Press, 2007) 43-44.

² Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in medieval Christianity* (Berkeley: University of California Press, 1999). For a nice overview of previous scholarship on this issue, though mostly focusing on the later period, thought to be a “turning point,” see Daniel Lasker, “Jewish-Christian Polemics at the Turning Point: Jewish Evidence from the Twelfth-Century Authors,” *Harvard Theological Review*, 89/2 (1996) 161-173.

number of other scholars have treated these law codes as indicative of actual Jewish-Christian relations. His argument against these texts having any grounding in lived reality is that these law codes are the only evidence we have for the presence of Jews in these regions at this period. While this is a fair point, several counter questions should be considered: why create a hermeneutical foil with which no one could identify and which, if there were no Jews at all in these regions, people could only understand in the most abstract sense, as a now virtually non-existent people named in the Bible? How effective would such a hermeneutic/polemic be, imbedded in law codes? Since the tactics that these canons use and the behaviors against which they legislate parallel those in law codes and treatises that were written in areas where Jews and Christians did live together, is it not reasonable to assume that these canons, like other law codes, are also connected to local Jewish-Christian relations? Finally, given that we have evidence that Jews did live in the regions in question a few centuries later, unless we have evidence to the contrary, do we have a good reason to assume that these codes do not reflect Jewish presence in these regions at an earlier date? The source material for Western Europe during late antiquity is notoriously sparse, both for Latin and Hebrew sources, so Freidenreich's suspicions are reasonable ones that cannot be proven definitively one way or the other. A much bigger issue underlies this debate however. Why assume that Jews cannot be simultaneously "hermeneutical" and real? Law codes regularly change depending on the rhetorical/polemical and practical needs of the period in which they were written.³ A good example of a recent study that both recognizes the identity-building politics of many of the same codes discussed by Freidenreich in this chapter, and attempts to analyze what they imply for lived Jewish-Christian relations is F. J. E. Boddens Hosang, *Establishing Boundaries: Christian-Jewish Relations in Early Council Texts and the Writings of Church Fathers* (Leiden: Brill, 2010).

A last point of consideration: near the end of his chapter, Freidenreich rather provocatively suggests that since late antique and early medieval writers used impurity accusations and food restrictions to "put Jews in their place" within the Christian social order, Mary Douglas' definition of impurity as "matter out of place" does not hold for these texts (p. 126). Yet do not the constant, unremitting, sometimes desperate-sounding efforts of Christian writers to regulate Jews to a comfortably inferior position, using impurity and prohibitions against eating with an "unholy" people, suggest that Jews were very much "matter out of place"? The Levitical purity laws studied by Mary Douglas also served to create careful boundaries between "pure" and "impure", which if followed, placed everyone and everything, including the "impure," within a careful social and religious order. (p. 126)

³ For an example of law regarding religious minorities shifting according to contemporary needs and reality in a different context see Ana Echevarria Arsuaga, "Política y Religión frente al Islam: la Evolución de la Legislación Real Castellana sobre Musulmanes en el Siglo XV," *Qurtuba*, 4 (1999) 45-72. Freidenreich himself notes. "After the Christianization of the Roman Empire, however, ecclesiastical authorities within its bounds rapidly dismiss paganism and its rituals as irrelevant, and they tend not to address heretics by means of food restrictions either." (pp. 119-120) Presumably, ecclesiastical authorities stopped addressing Paganism because the number of "Pagans" and their religious practices had diminished and therefore ceased to pose a serious challenge for Christians. Freidenreich regards the disinterest in Pagans and the continued interest in Jews as entirely based on hermeneutical need and strategy, not social reality.