

ACA, Cancillería, Reg. 1751 (?), f. 106r

Document Summary

Field	Details
Document type	Royal concession (<i>concessio</i>): grant of judicial authority under Hebrew law
Issuer	Joan I of Aragon
Recipient	Eyday Cresques (Hasdai Crescas)
Date	8 [?] April 1387
Place of issue	Barcelona
Language	Latin
Hand	Gothic secretarial (<i>lletra bastarda</i>)
Vice-chancellor	Francesc ça Costa
Subject	Grant to Hasdai Crescas confirming his prerogative to pronounce legal judgments according to Hebrew law among Jews, with mandate to all royal and Jewish communal officials to uphold this concession

Reconciled Transcription

Nos Iohannes [dei gratia Rex Aragonum] et cetera. Quia nos informati sumus quod secundum legem ebraycam licitum [?] est magis dicte legis quam rabinis seu iudeos ebraycos ydoneos nominatur et pronunciandis sicut mayus [?] in omnibus et singulis casibus in quibus per totam legem habent curram quibuscunque proferri. Et cum Eyday Cresques iudeo qui vulgo iudex inter alios iudeos magis nuncupatur per nostram gratiam sicut est de magistris seu rabinis dicte legis dubitans [?] absque termini spacio permissus [?] prerogatiua pronunciandi seu pone [?] casibus iudicantur [?] tunc ambos [?] firmando. Propterea cum auctoritate habeat secundum regulas communes sue legis. Tenore presentis concedimus vobis quod predicta prerogatiua et potestatem in casibus [?] superdictis uti valeatis libere et impune. Citdamus [?] eius [passage uncertain] ... Mandantes itaque vniuersis Gubernatori nostro generali eiusque vicesgerentibus

[?] vicariis baiulis ac consulis et singulis officialibus nostris necnon secretariis et adelantanis ac rectoribus quarumcunque aliamarum iudeorum nostri domini et eorum singularibus nostris presentibus et futuris et eorum officialium locatenentibus quod concessionem nostram huiusmodi vobis teneant firmiter et observent eaque vobis vos uti libere permittant quocunque obstaculo quiescente [?]. In cuius rei testimonium presentem fieri fecimus sigillo nostro iussimus communiri. Datum Barchinone octauo [?] die aprilis anno a nativitate domini millesimo CCC^o lxxx^o vij^o. ffra[n]ciscus çà Costa.

Annotated English Translation

We, Joan,¹ etc. Because we have been informed that according to Hebrew law it is lawful [?] — and is more properly a matter of said law than [a matter for others] — that rabbis or suitable Jewish persons be nominated in the Hebrew [tongue]² to pronounce [judgments], as is more [appropriate], in each and every case in which they have jurisdiction through the whole of [their] law, whosoever may bring [the case].³

And since Eyday Cresques⁴ — a Jew who is commonly called judge among other Jews — [has exercised] through our grace, as is [the custom] among masters or rabbis of said law, the prerogative of pronouncing [judgments] without [?] limitation of time,⁵ adjudicating in the aforesaid [?] cases and confirming both [parties' positions].⁶

For this reason, since he holds authority according to the common rules of his law: by the tenor of the present [letter] we grant to you that you may exercise the aforesaid prerogative and power in the above-stated cases freely and without penalty.⁷ [We further command]⁸ ...

We therefore command all and each: our Governor General⁹ and his deputies, vicars, batlles,¹⁰ and consuls, and all our officials; likewise the *secretaris*¹¹ and *adelantats*¹² and rectors of whatsoever aljamas¹³ of Jews of our dominion, and their individual [members], present and future, and the lieutenants of their officials: that they hold this our concession firmly and observe it, and that they permit you to exercise it freely, any obstacle notwithstanding.¹⁴

In witness whereof we have caused the present [letter] to be made and ordered it sealed with our seal. Given at Barcelona, the eighth [?] day of April, in the year of the Nativity of the Lord one thousand three hundred and eighty-seven. Francesc çà Costa.¹⁵

Footnotes

1. The full intitlacio — *Nos Iohannes dei gratia Rex Aragonum, Valentie, Maioricarum, Sardinie et Corsice, Comesque Barchinone, Rossilionis et Ceritanie* — is compressed to *Nos Iohannes etc.* in the register copy, as is standard chancery practice.

2. The narratio establishes the legal premise that the appointment of qualified judges is an internal matter of Jewish law, providing the jurisdictional basis for the royal grant that follows. The argument essentially recognizes the autonomy of Jewish legal tradition in designating its own judicial authorities, which the Crown then formally ratifies.
3. The narratio is heavily abbreviated and partially obscured; the translation here represents the general sense rather than a word-for-word rendering. Several readings remain uncertain (see Unresolved Ambiguities below).
4. **Eyday Cresques**: a scribal rendering in the Catalan onomastic convention of **Hasdai Crescas** (Heb. חסדאי קרשקש, c. 1340–1410/11), one of the most significant Jewish intellectuals and communal leaders of the late medieval Crown of Aragon. Crescas served as rabbi and communal authority in Barcelona and later in Zaragoza, and was the author of *Or Adonai* (*Light of the Lord*), a systematic critique of Aristotelian-Maimonidean philosophy. He was closely connected to the Aragonese court and served as a key intermediary between the Crown and Jewish communities throughout the reigns of Pere III, Joan I, and Martí I. The form *Eyday* reflects the common Catalan adaptation of the Hebrew name *Hasdai*, while *Cresques* is the standard Catalan surname (cf. the Cresques cartographic family of Mallorca). This document, issued barely three weeks after Joan I's accession on 19 March 1387, suggests that confirming Crescas's judicial authority was an early priority of the new reign — possibly reflecting a pre-existing relationship between Crescas and Joan, or a petition presented at the moment of accession when confirmations of privileges were customarily sought. This grant is significant evidence for Crescas's formal legal standing as a Jewish judge (*dayyan*) in addition to his better-known roles as philosopher and communal diplomat.
5. The phrase *absque termini spacio* ("without limitation of time/term") appears to indicate that Crescas's judicial prerogative is not restricted to a fixed term of office, i.e., it is granted in perpetuity or at the king's pleasure, rather than for a set number of years. The exact syntax of this clause is uncertain.
6. The passage between the identification of Crescas and the *dispositio* (*Tenore presentis concedimus*) is the most difficult section of the document. The translation represents the probable sense — that Crescas has been exercising judicial functions and the king now formally ratifies this authority — but the precise wording of several phrases could not be established with confidence (see Unresolved Ambiguities).
7. *Libere et impune*: "freely and without penalty" — a standard enforcement formula indicating that the exercise of the granted right shall not be subject to legal challenge or punitive consequences. Jonathan's reading of the manuscript for this clause (*prerogatiua et*

potestatem in [casibus] superdictis uti valeatis libere et impune) provides the core of the *dispositio*.

8. A transitional passage between the *dispositio* and the *Mandantes* clause is illegible or heavily abbreviated. Jonathan's reading begins *Citdamus eius...* but the word is uncertain and the passage could not be fully reconstructed. The sense is likely a further enforcement command or a reference to penalties for non-compliance, leading into the general mandate.
9. **Governor General** (*Gubernator generalis*): the chief royal official responsible for the administration of justice and governance in the king's absence. Whether this mandate addresses the Governor General in a specific territory (the HTR suggested *regni Valentie*, i.e., the kingdom of Valencia) or universally could not be confirmed from the manuscript; see Unresolved Ambiguities.
10. **Batlles** (*baiuli*): local royal officials with judicial and fiscal responsibilities at the municipal level.
11. **Secretaris** (*secretarii*): the chief governing officers of Jewish aljamas in the Crown of Aragon, responsible for communal administration, tax collection, and relations with the Crown. Not to be confused with royal secretaries.
12. **Adelantats** (*adelantani*): another term for Jewish communal leaders, borrowed from Castilian administrative vocabulary (*adelantados*). In Aragonese Jewish communities, the *adelantats* and *secretaris* often formed the governing council of the aljama.
13. **Aljamas** (*aliamae*): the legally constituted Jewish communities of the Crown of Aragon, possessing corporate legal personality and internal self-governance under royal charter. The Latin *aliama* / *aliamara* is derived from Arabic *al-jamā'a* (the community/assembly).
14. *Quocunq̄ue obstaculo quiescente*: literally "any obstacle being stilled/set aside" — a non-obstante clause overriding any conflicting local privileges, customs, or prior grants that might impede Crescas's exercise of his judicial authority.
15. **Francesc̄a Costa** (*ffranciscus ça Costa*): vice-chancellor of the Crown of Aragon under Joan I. His signature as authorizing officer (*vidit*) is consistent with the early months of Joan I's reign and appears on numerous documents from this register.

Unresolved Ambiguities

1. **Narratio (lines 1–6)**: The extended narratio establishing the legal basis for the grant is the most poorly preserved or heavily abbreviated section. While the general argument is clear — that the appointment of judges is an internal matter of Jewish law, and that Crescas has been functioning in this role — the precise Latin syntax of several clauses could not be fully

reconstructed from either the manuscript, the HTR, or reconciliation. This section would benefit most from in-person archival re-examination, ideally with UV light for any faded passages.

2. **Word in line 1 (*licitum* [?]):** Jonathan identified this as either *liatum* or *licitum*. The latter makes strong contextual sense ("it is lawful according to Hebrew law"), but the letter-forms were not entirely clear. If *licitum*, it strengthens the legal-theoretical framing of the narratio considerably.
3. **Transitional passage (line 8-9, *Citdamus* [?]):** The word or phrase initiating the enforcement section between the *dispositio* and the *Mandantes* clause could not be resolved. Possibilities include a form of *citare* (to summon/cite), *statuere* (to establish), or a compressed *Mandamus* — but none fits the visible letter-forms with confidence.
4. **Scope of the mandate — *regni Valentie* [?] (line 10):** The HTR read *Gubernatori nostro generali regni Valentie*, which would restrict the mandate's addressee to the Governor General of the kingdom of Valencia specifically. My initial reading saw *eiusque vicesgerentibus*, the standard formula for a universal mandate. The distinction is significant: if the document is addressed specifically to Valencia, it may indicate that Crescas's judicial authority was being contested or needed reinforcement there in particular. If universal, it is a general confirmation applicable across the Crown. Archival verification is needed.
5. **Date — *octauo* [?] (line 15-16):** The day of the month was read as *octauo* (8th) by the HTR, against my initial reading of *primo* (1st). The HTR reading seemed more plausible on review, but the word is compressed and should be verified.
6. **Register identification:** The register number has been tentatively identified as Reg. 1751 based on context, but this should be confirmed against the archival shelf mark.