

**Jewish Converts' Inheritance Rights in the Grand Duchy of Tuscany:
The Case of a Nun in the Convent of Santa Scolastica in Buggiano**

by *Samuela Marconcini*

Abstract

“As defined by the Fortunati-Ergas case, catechumens and neophytes have a right to their allotted share of the estate of their parents, even while their mother and father are still alive, notwithstanding the privileges accorded the Jews of Livorno by Grand Duke Ferdinando I in 1593.” This claim, written in Florence in 1825, tried to depict the Fortunati-Ergas case as a bridgehead breaking the guarantees offered to the Jews living in Livorno since the end of the 16th century. Papal laws explicitly offered converted Jews the right to immediately inherit from one’s parents, as if they were orphans. On the other side, the so-called Livornine, issued in 1593, opposed this principle and stated that converted Jews could not inherit from their Jewish relatives. In the 18th century, the Fortunati-Ergas case became the battleground among canon laws and civil laws, defending or contrasting the right to inheritance of converted Jews. Sara Ergas was a Jewish woman from Livorno who did not follow the decision of her husband Moisè Ergas, a rich Jewish merchant who converted to Christianity together with their small child, taking the new names of—respectively—Francesco Xaverio Fortunati and Maria Maddalena Fortunati. Sara remained fiercely Jewish, and never satisfied the claims over her goods made by the apostates in Florence (where they had moved after their conversion), engaging in a legal battle that, as shown in this article, proved the Livornine to remain a strong pillar defending the Jewish privileged status in Livorno till the unification of Italy.

In the Early Modern Period, North-Central Italy witnessed the progressive and seemingly inexorable segregation of the Jewish population in numerous “ghetti”

or “*serragli*” (enclosures).¹ During this time, the establishment and development of the Livorno community—a unique city without a Ghetto—constituted a remarkable exception, due not least to the protection and legal autonomy guaranteed to its Jewish inhabitants. In 1593, Grand Duke Ferdinando I de’ Medici granted the Jews freedom of belief and worship, as well as commercial and professional privileges that included administrative and jurisdictional autonomy.² The so-called *Livornine* (Leghorn Constitutions) assured ample religious liberty and even immunity from prosecution by the Inquisition—an essential consideration for *Marranos* (Jews forced to convert to Catholicism, who secretly remained faithful to the Jewish religion)³ who wished to return to their ancestral faith without charges of reversion (or “Judaizing”). With this guarantee of immunity, Livorno’s Jewish community flourished, becoming 5% of the total population by the early years of the Seventeenth Century.⁴ The essential rights and prerogatives of these Livorno Jews remained intact till the second half of the Nineteenth century,⁵ despite several efforts by Cosimo III Medici aimed at weakening them.

¹ Original English translation by Edward Goldberg. The text was further elaborated by the author, who bears the ultimate responsibility for any error in the final version.

² Renzo Toaff, *La nazione ebrea a Livorno e a Pisa (1591-1700)* (Florence: Olschki, 1990), 41 and following; Lucia Frattarelli Fischer, *Vivere fuori dal ghetto. Ebrei a Pisa e a Livorno (secoli XVI-XVIII)* (Turin: Zamorani, 2008); Bernard Dov Cooperman, “The Establishment and Early Development of the Jewish Communities in Leghorn and Pisa (1591-1626)” (PhD diss., Harvard University, 1976). There is a vast literature on this subject, as already noted by Cristina Galasso, *Alle origini di una comunità. Ebrei ed ebrei a Livorno nel Seicento* (Florence: Olschki, 2002), 5, note 1. More recently, Francesca Bregoli, *Mediterranean Enlightenment: Livornese Jews, Tuscan Culture, and Eighteenth-Century Reform* (Stanford: Stanford University Press, 2014); Stefano Villani, “Between Information and Proselytism: Seventeenth-century Italian Texts on Sabbatai Zevi, their Various Editions and their Circulation, in Print and Manuscript,” *DAATA Journal of Jewish Philosophy and Kabbalah* 82 (2016): LXXXVII-CIII; Lucia Frattarelli Fischer, *L’Arcano del mare. Un porto nella prima età globale: Livorno* (Pisa: Pacini editore, 2018); Corey Tazzara, *The Free Port of Livorno and the Transformation of the Mediterranean World, 1574-1790* (New York: Oxford University Press, 2017).

³ One can also use the Spanish word *conversos* or, in Hebrew, *anusim*, referring to all Jews “forced” to convert to another religion.

⁴ In the census of 1622, Livorno registered 14,413 inhabitants, including 711 Jews; Toaff, *La nazione ebrea*, 119.

⁵ August 1836 is often cited as the date of the complete and final repeal of the *Livornine*, as stated—for example—by Roberto G. Salvadori, *Gli ebrei toscani nell’età della Restaurazione (1814-1848)*.

The twenty-sixth article of the *Livornine* regulated the thorny question of conversion to Christianity, banning the use of force and disallowing converts who were less than thirteen years old (against the will of their parents). Meanwhile, family members were guaranteed the right to speak with *catecumeni* (those undergoing Christian instruction and awaiting baptism), while protecting those who remained Jewish from eventual legal and financial claims by their newly Christians relatives.⁶ This article of the *Livornine* explicitly states:

Prohibendo a ciascuno dei nostri Cristiani, che non ardischino torvi, né raccattarvi alcuno di vostra Famiglia maschio, o femmina per doversi far battezzare e farsi Cristiano, se però non passano tredici anni d'età, e quelli maggiori mentre che saranno, e staranno nelli Catecumeni, o altrove alla loro quarantina per battezzarsi possino essere sovvenuti, e parlati da loro Padre, e Madre, o altri Parenti, che avessero volendo che qualsivoglia Ebreo, o Ebreia, che si facesse Cristiano, o Cristiana, essendo figlio, o figlia di Famiglia, non siano tenuti, né obbligati, il Padre, né la Madre dargli legittima, o porzione alcuna in vita loro, e che tali Battezzati non possino fare testimonianza in casi di Ebrei.⁷

(Christians are categorically enjoined from alienating or removing any member of your family below the age of thirteen, whether male or female, in order to baptize them and make them Christian. In regard to those above that age, their father, mother and other relatives are allowed to converse with them and assist them, should they wish it, while they are isolated among the catechumens prior to baptism. When a Jew or Jewess becomes Christian, neither the father nor mother is held liable nor otherwise obliged to give them a share of any inheritance or property

Uscire dal ghetto: divenire ricchi, divenire cristiani, divenire italiani (Florence: CET-Centro Editoriale Toscano, 1993), 2. According to Carlotta Ferrara degli Uberti, this is not accurate: all that was abolished at that time was the travel document (*salvacondotto*) that guaranteed free and safe passage to registered persons (*ballottati*), not the *Livornine* themselves. I am grateful to Ferrara degli Uberti for this information.

⁶ Toaff, *La nazione ebrea*, 419-435; he quotes a transcription of the text of the *Costituzione Livornina*, obtained by combining the Letters of Patent of 1591 and 1593.

⁷ *Ibid.*, 427.

settlement which would otherwise be due to them, during their lifetime, as a member of that family. Furthermore, baptized Jews cannot testify in Jewish legal cases.)

As Renzo Toaff observes, this last point “explicitly contradicts one of Paul III’s orders favoring neophytes,” since the pope intended them “to claim an advance liquidation of hereditary assets from their still Jewish families.”⁸ In fact, the bull *Cupientes Iudaeos*, signed by Paul III on March 21st, 1542, foresaw converted children inheriting their allotted portions of the estates of living parents who remained Jewish, in abeyance of common law.⁹ More than a century and a half later, Clement XI reaffirmed these dictates with the bull *Propagandae per universum*, issued on March 11th, 1704.¹⁰ In this case, the legal standards promulgated by the *Livornine* openly conflicted with the stipulations of the pope. Contrary to the papal bulls, the *Livornine* expressly exempted Jewish parents from including apostate children in testamentary settlements, while also prohibiting these former Jews from bearing witness in cases heard by the *Giudice degli Ebrei* (the magistrature responsible for Jewish affairs).¹¹

In a compendium of documentary material regarding the history of the Jewish settlement in Livorno beginning in 1593,¹² there are various sections dedicated to the issue of baptisms (before and after the age of 13, with or without parental consent, etc.). One of these, number 23, has the specific title, *Della legittima, ed*

⁸ Ibid., 51, note 18 and 28, note 5.

⁹ Fausto Parente, “La posizione giuridica dell’ebreo convertito nell’età della Controriforma. La bolla *Cupientes Iudaeos* (1542) e la successiva elaborazione dottrinale,” *Sefarad. Rivista de estudios hebraicos, sefardies y de Oriente próximo* 51, no. 2 (1991): 339-352; 341-342; Isabelle Poutrin, “La condition juridique du juif converti dans le *Traité sur les Juifs* de Giuseppe Sessa (1717),” in *Pouvoir politique et conversion religieuse. 1. Normes et mots*, eds. Thomas Lienard, Isabelle Poutrin (Rome: Publications de l’École française de Rome, 2017), <https://books.openedition.org/efr/3511>, accessed January 21, 2023; Kenneth Stow, “*Neofiti* and Their Families: or, Perhaps, the Good of the State,” *The Leo Baeck Institute Year Book* 47, no. 1 (2002): 105-113.

¹⁰ Marina Caffiero, *Battesimi forzati. Storie di ebrei, cristiani e convertiti nella Roma dei papi* (Rome: Viella, 2004), 281-284.

¹¹ Toaff, *La nazione ebrea*, 51.

¹² “Recapiti riguardanti gli Israeliti in originale nella R. Segreteria del Governo,” 154r-159v, *Ordini, statuti e regolamenti*, 5 (the archival numeration is relatively recent), Archivio della Comunità Israelitica di Livorno (henceforth, ACIL), Livorno, available online at <http://www.keidos.net/digitalib/archliv/index.php>, Accessed January 21, 2023.

altro, preteso dai neofiti viventi il padre e la madre (Regarding the testamentary allotment or other claims that neophytes might make against their living father or mother). After noting the clear statement in Article XXVI of the *Livornine* and the lack of contrary language in government records, a single exception is cited, the Fortunati-Ergas case:

Nonostante le preaccennate disposizioni sopra tal materia, fu molto questionato intorno alla medesima nel 1700, in occasione che la neofita Maria Maddalena figlia di Francesco Xaverio Fortunati, pure neofito, domandò avanti il Magistrato Supremo la legittima in vita di Sara Ergas sua madre ebrea dal giorno della sua conversione. La causa fu delegata dal granduca Cosimo III ai tre giudici di Ruota, che erano allora gli auditori Carlo Bizzarrini, Ascanio Venturini e Bonaventura Neri Badia. I due primi riferirono essersi dovuta la legittima per le bolle di Paolo III e di Clemente XI. Il Neri Badia scrisse e riferì in suo motivo che non era dovuta alcuna legittima, perché le dette bolle non potevano aver luogo in Livorno, per non essere accettate e perché ostavano alle medesime i privilegi del Porto[...].¹³ La detta causa, secondo ciò che rilevasi dai libri di cancelleria di questa Nazione Ebraica, terminò nel 1751 mediante un accomodamento fatto dal luogotenente Scaramucci, e dalla relazione al medesimo alla Reggenza [...] pare che fosse data agli eredi della neofita la terza parte di una casa restata nella eredità della di lei madre.

(Notwithstanding the aforementioned rulings in this matter, there was much controversy in 1700, when Maria Maddalena, the neophyte daughter of Francesco Xaverio Fortunati, also a neophyte, made an appeal to the *Magistrato Supremo* (the judicial entity responsible for the administration of the law). She asked the *Magistrato Supremo* for her portion of the estate of her living Jewish mother Sara Ergas, as calculated

¹³ Ibid., 155r-156v. A further matter, not addressed in Chapter XXVI of the *Livornine*, is discussed in the following sheets: the possibility of forcing Jewish relatives to pay subsistence allowances (*alimenti*) and dowries (*doti*) to neophytes after their conversion. The case of the Jew Modigliano emerges as the sole exception to the rule; in 1771 he was obliged to give a dowry and living expenses to his neophyte daughter, although he filed an appeal citing his own destitution. Ibid., 157v-158r.

from the very day of her conversion. Grand Duke Cosimo III assigned the case to the three sitting judges, Carlo Bizzarrini, Ascanio Venturini e Bonaventura Neri Badia. The first two decided that she was owed the testamentary portion, considering the bulls of Paul III and Clement XI. Neri Badia found otherwise, rejecting her testamentary claim, on the grounds that these bulls could not be applied in Livorno since that was precluded by the privileges of that port [...] From what can be determined in the books of the Chancery of the Jewish Nation, the case was closed in 1751 with a negotiated settlement overseen by deputy Scaramucci, as communicated by him to the Regency Government [...] It seems that the heirs of the neophyte (Maria Maddalena) were awarded one third of a house that had belonged to the neophyte's mother.)¹⁴

The matter was settled by a private agreement, which awarded the neophyte one third of her mother's house (that was the same settlement foreseen by the sitting judges, back in 1706). The claimant only took possession of the inheritance decades later, after her mother's death, but some interpreted this as a victory for canon law over the *Livornine*. In 1825, an anonymous writer left a note among the papers of the *Casa dei catecumeni di Firenze* (that is, the House of Catechumens of Florence),¹⁵ memorializing that apparent legal precedent: "As defined by the Fortunati-Ergas case, catechumens and neophytes have a right to their allotted share of the estate of their parents, even while their mother and father are still alive,

¹⁴ Giovanni Bonaventura Neri Badia, *Decisiones et responsa juris*, volume one, (Florence: Allegrini, 1769), 515-528, available online on the website of the Biblioteca Nazionale di Firenze, <https://www.bncf.firenze.sbn.it/>, Accessed January 21, 2023.

¹⁵The Catechumens' Houses in Italy were established in the period of the Counter Reformation as institutions that offered to any non-Catholic person willing to convert to Catholicism food and shelter, the main principles of Catholic doctrine, the promise of a better life under a new Catholic name, and also economical support and social control after one's conversion, with the aim of enhancing the number of effective conversions to Catholicism; see Peter A. Mazur, *Conversion to Catholicism in Early Modern Italy* (New York-London: Routledge, 2016); Matteo Al-Kalak and Ilaria Pavan, *Un'altra fede. Le case dei catecumeni nei territori estensi (1583-1938)* (Florence: Olschki, 2013); Tamar Herzig, "Rethinking Jewish Conversion to Christianity in Renaissance Italy," in *Renaissance Religions* (Europa Sacra Series, no. 26), eds. Peter Howard, Nicholas Terpstra, and Riccardo Saccenti (Turnhout: Brepols, 2021), 63-79; Emily Michelson, "The World of Conversion in Early Modern Rome," in *Catholic Spectacle and Rome's Jews. Early Modern Conversion and Resistance* (Princeton: Princeton University Press: 2022), 17-61.

notwithstanding the privileges accorded the Jews of Livorno by Grand Duke Ferdinando I in 1593.”¹⁶ However, there is no record of a neophyte ever claiming an inheritance at the time of their conversion, from living Jewish parents, by reference to Fortunati-Ergas. So, for all intents and purposes, the *Livornine* remained in effect (including Article XXVI), guaranteeing the prerogatives of the Jewish community against papal claims.

How did the Ergas-Fortunati case come about and what were its implications? It all began in late July 1691, when Livorno was stunned by the decision of Moisè Ergas, a rich Jewish merchant, to convert to Christianity. His grandfather Abraham Ergas had relocated from Portugal to Livorno (after a brief stay in Pisa) around the beginning of the Seventeenth Century, attracted by the privileges granted to *Ebrei Levantini* (Jews that from the Iberian Peninsula had moved first to the Ottoman Empire before settling back in Europe) by Ferdinando I de’ Medici in 1593. Moisè’s family, the Ergas, were among those Sephardic Jews who took advantage of the opportunity to return to their ancestral religion after a forced conversion to Christianity at the end of the Fifteenth Century.¹⁷ Then—nearly a hundred years later—Moisè Ergas decided to reverse course, abandoning Judaism forever. Specifically, he planned to move out of his own home and sell his furniture, although his wife Sara had no intention of converting. Soon after, Sara’s three year-old daughter Juditta was taken away from her, by order of Grand Duke Cosimo III, probably “offered” to the Church by her father acting in the new role of catechumen¹⁸ and entrusted to the temporary care of a Christian woman, the wife of a Livorno apothecary named Giacinto Cestoni.¹⁹ During *Ferragosto* 1691 (around the time of the Feast of the Assumption of the Virgin, on August 15th), Moisè Ergas was baptized in Florence, taking the new name of Francesco Xaverio

¹⁶ *Compagnia, poi Magistrato del Bigallo, secondo versamento*, file 1169, insert 25, Archivio di Stato di Firenze (henceforth, ASFi), Florence.

¹⁷ The history of the Ergas family and their commercial partnership with the Silvera family is at the heart of an exhaustive study by Francesca Trivellato, *The Familiarity of Strangers. The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven-London: Yale University Press, 2009). Regarding the early years of the Ergas family in Tuscany, see *Ibid.*, 23 and following.

¹⁸ Regarding this custom, see Caffiero, *Battesimi forzati*, especially 159-197.

¹⁹ “Letter from Livorno dated 30 July 1691,” *Mediceo del Principato*, 2328A, ASFi. This letter is quoted by Frattarelli Fischer, *Vivere fuori dal ghetto*, 291, note 148. The convert remembered Giacinto Cestoni in his 1701 testament, as we discuss later.

Fortunati. One month later, on the Jewish Sabbath, his daughter Juditta was baptized as well, becoming Maria Maddalena.²⁰ Their conversion raised a furor that still resounded ten years later. In his *Catalogo de' neofiti illustri* (Catalogue of Illustrious Neophytes), Paolo Sebastiano Medici (himself a convert), cited Moisè Ergas, “one of the most important merchants of the city of Livorno,” using him to demonstrate that those who wished to become Christian could still retain the same prestige and status that they enjoyed as Jews.²¹ We don't know what Moisè's Jewish relatives thought of his transformation. At first, they evidently remained in touch and on fairly good terms,²² but the relationship had deteriorated significantly by the time of Ergas/Fortunati's death in 1727.²³

²⁰ Registro (r.) 68, fotogramma (fg.) 2II, Archivio dell'Opera di Santa Maria del Fiore di Firenze (henceforth, AOSMFF), Florence; Ibid., r. 290, fg. 235. The priest Filippo Franci acted as godfather at the girl's baptism; Franci was one of the most active promoters of the conversion of “infidels” in Florence and Livorno at the end of the Seventeenth Century; Daniela Lombardi, *Franci, Filippo*, in *Dizionario Biografico degli Italiani*, vol. 50 (Rome: Istituto della Enciclopedia Italiana, 1998), 133-134; Samuela Marconcini, *Per amor del cielo. Farsi cristiani a Firenze tra Seicento e Settecento* (Florence: Firenze University Press, 2016), 149-150.

²¹ Paolo Sebastiano Medici, *Catalogo de' neofiti illustri usciti per misericordia di Dio dall'ebraismo e poi rendutisi gloriosi nel cristianesimo per esemplarità di costumi e profondità di dottrina* (Florence: Vincenzio Vangelisti, 1701), 66.

²² In 1698, Francesco Fortunati apparently intervened on his brother-in-law's behalf with Florentine authorities. In *Vivere fuori dal ghetto*, 294, Lucia Frattarelli Fischer writes: “The Grand Duke requested that the richest Jews in Livorno invest heavily in order to offset the bankruptcy of the Perosio silk works in Florence. On that occasion, ‘Fortunati who had become Christian’ exerted himself for the Jews, especially Manuel de Mora (the husband of his sister Sara). Working to relieve and exempt him (Mora) from such contributions, he (Fortunati) promised money to those who would cooperate in this effort and did whatever he could to discourage others from competing.” The documentary source is cited as ASF *Mediceo del Principato*, 1561, Lettere da Livorno ad Apollonio Bassetti, segretario granducale, 1698-1699, specifically a separate sheet following the letter of May 6, 1698. During a visit to the Archivio di Stato on July 25, 2019, I was unable to locate this document in a series of letters sent by Marchese del Borro; there were, however, references to this particular matter in del Borro's letters of May 5 and 6, 1698. Frattarelli Fischer cites this same source in a previous publication, “Percorsi di conversione di ebrei nella Livorno di fine Seicento,” *Nuovi Studi Livornesi* 13: 139-171; 155.

²³ If we are right to identify a certain “zio Magno neofita” with Moisè Ergas/Francesco Fortunati, it would seem that his sister-in-law Bianca del Rio saw him as a threat. She was the widow of Moisè d'Abram Ergas (founder of the Ergas-Silvera firm that we discuss elsewhere) and the mother and guardian of four children: Abram Kai, David, Anna and Devora. In 1725, she appealed to the civil authorities, fearing that he would try to remove her children in order to have them baptized, while also impeding her commercial activities (see the letter of December 14th, 1725 from Senator Rinuccini to Barone Alessandro Del Nero, Governor of Livorno; D.2.1.2., fasc. 3, Archivio della

What impelled Moisè Ergas to abandon Judaism? This is difficult to determine but the Jesuit José Maria Sotomayor might have played a role, since he was also of Portuguese origin and served as Ergas' godfather at the baptismal font.²⁴ However, it does not appear that he had a particular commitment to fostering Jewish conversions (of Ergas or others). Our chief biographical source is the *Ragguaglio della vita, virtù e morte di padre Giuseppe Maria Sotomayor della Compagnia di Gesù* (Report on the Life, Virtues and Death of Father Giuseppe Maria Sotomayor of the Company of Jesus). An anonymous fellow Jesuit composed this account with the evident goal of furthering Sotomayor's candidacy for sainthood,²⁵ so we would expect a successful activity of promoting conversions to be featured among his other achievements.²⁶

Two years before Moisè Ergas' conversion, we know that a series of dramatic events disrupted his life. His family had long enjoyed an elevated economic, social and intellectual status,²⁷ but they were then going through a difficult time. In 1684, his brother Abraham, the chief partner in the family firm (which traded as

Comunità Ebraica di Firenze, Florence, cit. in Frattarelli Fischer, *Vivere fuori dal ghetto*, 294). The Governor of Livorno reassured Donna Bianca del Rio in an order found also in *Mediceo del Principato*, 2517, c. 258v, ASFi, Florence (not cc. 258v-259r, as stated by Frattarelli Fischer, *Vivere fuori dal ghetto*, 294, note 160).

²⁴ Frattarelli Fischer, *Vivere fuori dal ghetto*, 292 and note 152.

²⁵ *Manoscritti*, 695, ASFi, Florence (The manuscript is not number 685 and not dedicated to Anna Maria Luisa, the Electress Palatine, daughter of Cosimo III, as stated by Frattarelli Fischer in *Vivere fuori dal ghetto*, 292, note 152). Giuseppe Maria Sotomayor (Niccolò, before ordination) was born in Portugal in 1647 to a noble family of Spanish origin; he went to Rome to study, entered the Society of Jesus at the age of 21 and then moved to Florence. After a period in Germany as confessor to the future Grand Duke Giangastone de' Medici, he returned to Florence where he died at the age of 72, after living in poverty and spiritual reflection for 26 years, while comforting those condemned to death.

²⁶ As it actually happened in the process of beatification of another Jesuit who actively promoted conversions of Jews to Christianity in XVII century Padua, Gregorio Barbarigo, who, quite interestingly, shared the reports of his "successes" and "failures" (from his point of view, achieved or not achieved conversions) with Cosimo III Medici; Michele Cassese, "Gregorio Barbarigo e il rapporto con ebrei e non cattolici," in *Gregorio Barbarigo patrizio veneto vescovo e cardinale nella tarda controriforma (1625-1697), Atti del convegno di studi, Padova 7-10 novembre 1996*, eds. Liliana Billanovich and Pierantonio Gios (Padua: Istituto per la Storia Ecclesiastica Padovana, 1999), 1023-1056; 1046.

²⁷ One of Moisè's brothers was the important Rabbi Manuel, who was married to Sara, sister of the kabbalist Mosè Pinheiro. For a complete genealogical tree of the family, see Fig. 1.1 in Trivellato, *The Familiarity of Strangers*, 24-25.

“Abraham, Isaac and Abraham Ergas”), was facing bankruptcy, then on January 21st, 1689,²⁸ he was murdered for reasons that remain unclear. The man ultimately responsible was granted immunity a few weeks later, after naming those who carried out the act. The perpetrators landed up in prison, except for one who took refuge in a church.²⁹ Turmoil of this kind was especially grave in a commercial port like Livorno, which depended on “good governance, since security is essential for trade.”³⁰ The governor and syndics of the Jewish Nation demanded justice from the governor of the city and ultimately from the grand duke himself.³¹ Seven months later, Moisé Ergas appealed to the authorities, alleging that his witnesses in financial transactions had all been threatened by his enemies (particularly Moisé Attias, who was an inveterate antagonist of his family).³² We don’t know if communal disorder played a role in Ergas’ apostasy, nor do we know if the (presumably Jewish) instigator of the murder was ever brought to justice.³³ Many years passed, however, before Abraham’s eldest son (another Moisé or Moses),³⁴ was able to reestablish his family’s fortunes. In 1704, thirteen years after the conversion of his paternal uncle, he founded a new firm “Ergas and Silvera,” in partnership with David Silvera, the husband of his sister Esther. This important trading company, based in Livorno with a branch in Aleppo, specialized in coral

²⁸ *Mediceo del Principato*, 2283, letter of January 23, 1689, ASFi, Florence. This refers to a homicide that took place two days earlier (correcting Frattarelli Fischer, *Vivere fuori dal ghetto*, 291, which indicates the date of the murder as 1690).

²⁹ *Mediceo del Principato*, 2283, letter of February 8, 1689, ASFi, Florence (not 1690, as cited by Frattarelli Fischer, *Vivere fuori dal ghetto*, 291, note 149).

³⁰ In the words of Moisé himself, “ben governata et in quale è necessaria per il commercio la sicurezza” (*Mediceo del Principato*, 2283, letter of January 23, 1689, ASFi, Florence).

³¹ *Mediceo del Principato*, 2283, letter of February 25, 1689, ASFi, Florence (not 15 February 1690, as cited by Frattarelli Fischer, *Vivere fuori dal ghetto*, 291, note 149) with 18 signatures.

³² *Mediceo del Principato*, 2283, letter of September 7, 1689, ASFi, Florence.

³³ On June 13, 1692, about a year after Moisé Ergas’ conversion, one of those indicted for the Ergas murder (“Daniello Fernandez ebreo, uno dell’inquisiti et processati per la morte dell’Ergas”) was found in a vineyard (*vigna*) sitting at table with four French women. They were all taken off to prison but released on the following day, although a criminal case was initiated; *Mediceo del Principato*, 2328A, letter of June 16, 1692, ASFi, Florence. According to Frattarelli Fischer, *Vivere fuori dal ghetto*, 291, note 149, the records of the trial have been lost.

³⁴ We will refer to him as Moses/Moises, in order to avoid confusion with his uncle of the same name, Moisé Ergas, alias Francesco Xaverio Fortunati.

and diamonds.³⁵ It is worth noting that the Moisè Ergas on whom we are focusing was the paternal uncle of the other Moisè Ergas (founder of the firm) and also paternal uncle of his own wife Sara, since she was the daughter of his brother Abraham who was murdered in 1689. (Years later, Sara had to swear to this effect before a distrustful Christian.)³⁶ In this way, her father—the late Abraham—became the father-in-law of his own brother, her husband Moisè.³⁷

The Sephardic community in Livorno maintained a matrimonial code that guaranteed “above all, the integrity of patrilineal assets and the coherence of the family group, strictly controlling the circulation of wealth and the role of women [in this exchange].”³⁸ As demonstrated by the intricacies of the Ergas family tree, this included the marriage of blood relatives, even cousins with cousins and uncles with nieces.³⁹ The families of Sephardic ascendancy dominated the economic and administrative hierarchy of Livorno Jewry, so marriage alliances served to cement essential commercial and financial relationships. Italian and Ashkenazic Jews were also present in the city, but generally excluded from this powerful elite, so intermarriage with “Levantine” almost never occurred. In this system of privileged exchanges between socio-economic equals, women played a crucial role, since endogamic unions were secured by dowries (*doti*) on the female side and

³⁵ Trivellato, *The Familiarity of Strangers*, 8 and passim. Esther Ergas’ marriage to David Silvera was arranged by her brother Moses/Moises Ergas; *Ibid.*, 29.

³⁶ *Notarile Moderno, Protocolli*, 25262, notary Giovanni Battista Gamerra, no. 236, “Recognitio personae,” cc. 186r-v, ASFi, Florence, cit. in Trivellato, *The Familiarity of Strangers*, 302, note III. The act was recorded in Livorno on October 31, 1729 in the house of “signore David Silvera negoziante ebreo” (this Jewish merchant is presumably to be identified with the business partner of Moses/Moises Ergas, the brother-in-law of Sara), in the presence of two witnesses, “il signorino Francesco Ranieri Frosini neofito e Giovanni Giannenti del Tirolo,” the former a neophyte, the latter from Tirolo, who had been a resident of Livorno for more than thirty years; there were two others, both Jewish: signor Daniel Pereira di Leone, “cancelliere dei massari di Livorno” and Joseph Levi Valle. “Signor Aiutante Talento Marchetti” was the Christian who needed to be convinced of Sara’s alleged family relations and marriage. There is an error in the document, however, since Sara is described as “figlia di detto fu signore Abram d’Isach Ergas chiamato di poi Francesco Fortunati, come sopra”; in fact, the convert was her husband and uncle, not her father.

³⁷ I would like to thank Michaël Gasperoni for this observation. On the subject, see Michaël Gasperoni, “La misura della dote. Alcune riflessioni sulla storia della famiglia ebraica nello Stato della Chiesa in età moderna,” in *Vicino al focolare e oltre. Spazi pubblici e privati, fisici e virtuali della donna ebrea in Italia (secc. XV-XX)*, ed. Laura Graziani Secchieri (Florence: Giuntina, 2015), 175-216.

³⁸ Galasso, *Alle origini di una comunità*, 27.

³⁹ *Ibid.*, 40.

parallel property settlements (*controdoti*) on the male side.⁴⁰ As Luciano Allegra has observed in regard to the Jewish community of Turin, the dowry system was a kind of entail, which “served to maintain the integrity of a large portion of the family’s assets, while the dowry itself functioned as a kind of private fund which the government recognized and protected.”⁴¹ In Livorno, dowries consisted mostly of cash, so they could be invested in mercantile and commercial ventures as soon as the marriage was contracted and then reinvested—again and again—after it took place. This powered a cycle of cash and credit that was essential to the Jewish economy.⁴²

In this context, we see Sara as a wife, a niece and also a daughter orphaned by her father. She did not follow Moisè Ergas and their daughter Juditta in opting for baptism and obtained a divorce at an undetermined date before 1701.⁴³ Thirty years earlier, in a similar situation, the combative and resolutely Jewish wife of the neophyte Giulio Morosini had managed to regain control of a considerable sum of money.⁴⁴ We don’t know if Sara Ergas ever obtained the return of her dowry from her converted husband.⁴⁵ We can, however, follow the struggle of her converted daughter—now Maria Maddalena—to access the inheritance from her mother.

⁴⁰ Ibid., 41, 42 and 46.

⁴¹ Luciano Allegra, *Identità in bilico. Il ghetto ebraico di Torino nel Settecento* (Turin: Zamorani, 1996), 197. On the subject, see also Stefanie Siegmund, “Division of the Dowry on the Death of the Daughter: An Instance in the Negotiation of Laws and Jewish Custom in Early Modern Tuscany,” *Jewish History* 16 (2022): 73-106; Stefanie Siegmund, *The Medici State and the Ghetto of Florence. The Construction of an Early Modern Jewish Community* (Stanford: Stanford University Press, 2006), in particular the chapter “From Virilocal to Local: Marriage in the Florentine Ghetto,” 332-385.

⁴² Galasso, *Alle origini di una comunità*, 76-77. For a comparison with the Sephardic activity on the eastern shores of the Mediterranean, see Viviana Bonazzoli, *Adriatico e Mediterraneo orientale, una dinastia mercantile ebraica del secondo 600: I Costantini* (Trieste: Lint, 1997).

⁴³ Galasso, *Alle origini di una comunità*, 68-69; the date of the divorce is indicated as 1746 but this is an error (Ibid., fig. 1.1). In Moisè Ergas/Francesco Xaverio Fortunati will of March 18th, 1701 (which we discuss later), Sara is described as his former wife (“già sua moglie”).

⁴⁴ Marina Caffiero, “Le doti della conversione. Ebrei e neofite a Roma in età moderna,” *Geschichte und Region/Storia e Regione* 19, no. 1 (2010): 72-91; 81.

⁴⁵ On this subject, see Kenneth R. Stow, “Ethnic Amalgamation, Like it or Not: Inheritance in Early Modern Jewish Rome,” *Jewish History* 16 (2002): 107-121; 115.

The young Ergas/Fortunati reached her twelfth birthday in 1700⁴⁶ and then formally renounced any inheritance on her father's side, swearing before the *Capitani di Orsanmichele* (who guaranteed obligations of that kind) on July 29th.⁴⁷ She then appeared before the *Magistrato Supremo*, making a claim against her mother, who lived but remained “in the darkness of Judaism” (*nelle tenebre dell'ebraismo*). Maria Maddalena demanded her current portion of her mother's estate (*la legittima*), to be followed by the residual inheritance at the time of her mother's death.⁴⁸ In fact, she had awaited the age of reason for women, as defined by early modern legal and moral authorities⁴⁹ and we can discern the hand of her father in these machinations. Francesco Xaverio's goal was probably to force his ex-wife to convert. In that way, he could recover family property, since Sara was also the daughter of his murdered brother Abraham.

In Florence a year later, on March 18th, 1701, less than ten years after his conversion, Francesco Xaverio Fortunati registered his will and testament.⁵⁰ First, he chose the Jesuit church of San Giovannino as his place of burial. Before the opening of Florence's *Casa dei Catecumeni* in 1636, San Giovannino was a favored site for the conversion of “infidels”⁵¹ and Fortunati had a personal connection through Giuseppe Maria Sotomayor, the Portuguese Jesuit. He specifically asked to be buried as near as possible to the altar of Saint Francis Xavier, whose name he had taken on conversion and to whom he ultimately entrusted his soul. After bequests to his servants, he remembered his daughter, leaving her a dowry of a thousand *scudi*, if she was not already married or a nun (in which case, she would have received a previous settlement). If she had in fact “taken the veil in the Benedictine

⁴⁶ Since she was baptized on September 15th, 1691 at the age of 3 years and 4 months, she would have been born in June 1688.

⁴⁷ This is demonstrated by the will which we cite below, in note 50, on c. 49r.

⁴⁸ *Raccolta delle decisioni della Ruota fiorentina* (1700-1808), vol. II (Florence: Marchini, 1837), no. 138, 326-353; 329-330. This is available online on the website of the Biblioteca Nazionale di Firenze, <https://www.bncf.firenze.sbn.it/>, Accessed January 21, 2023.

⁴⁹ Caffiero, *Battesimi forzati*, 88.

⁵⁰ Notarile Moderno, Protocolli, notary Michel'Angiolo Brocchi, 222II (1691-1707), no. 21, cc. 45r-56v, ASFi, Florence, cit. in Trivellato, *Familiarity*, 302, note III and discussed in Frattarelli Fischer, *Vivere fuori dal ghetto*, 292-293.

⁵¹ Marconcini, *Per amor del cielo*, 26.

convent of Santa Scolastica in Buggiano or some other convent,”⁵² her father wished her to have “a painting, about one *braccio* (0.5836 meter) high, of the Madonna with the infant Jesus, copied by tracing from an original by (Carlo) Cignani, so that she can pray to God for the soul of her father.”⁵³ Next, he left his current wife (at the time of his death) “the usufruct [lifetime right to use and derive profit] from one third of his estate,” so long as she does not contract a subsequent marriage and have sons or daughters by that marriage. Should the testator himself not have other children, he destined two-thirds of the usufruct of his estate to Giacinto Cestoni in Livorno, the apothecary who hosted his daughter at the emotionally fraught time of their conversions. Then, he left all other property to his male children, legitimate and natural, already born and yet to be born. Should he have no sons at the time of his death, he designated the eventual daughters of a future marriage, excluding however his converted daughter whose claim is limited to the aforementioned thousand *scudi*. Should he die without heirs, he directed the sale at auction of all of his property, with the cash receipts to be invested “in shares of the Monte del Sale [an investment fund floated on the salt tax] and the Monte di Pietà [a pawn-broking operation with religious associations].”⁵⁴

At that point in his will and testament, Francesco Fortunati declared himself to be “strong in the evidentiary truth of the Roman Catholic Faith... and the various compelling motives that induced him to embrace it.” He then addressed “those of his blood” who remain in “the Hebrew sect,” confidently echoing the conversion strategies of the Church itself. In order to attract these family members to his new religion, he offered generous financial inducements, thereby guaranteeing their ability “to maintain the appropriate status and splendor...of their families” after

⁵² On the role gradually undertaken by convents in assuring the stability of Jewish girls’ conversion to Christianity in the period of the Counter-Reformation, see Tamar Herzig, “For the Salvation of This Girl’s Soul’: Nuns as Converters of Jews in Early Modern Italy,” *Religions* 8, no. 11/252 (2017), <https://doi.org/10.3390/rel8110252>, accessed January 21, 2023. For a specific monastery created in Rome to house female converts from other religions see Alessia Liroso, “Monacare le ebreo: il monastero romano della Ss. Annunziata all’Arco dei Pantani. Una ricerca in corso,” *Rivista di Storia del Cristianesimo* 1 (2013): 147-180.

⁵³ Notarile Moderno, Protocolli, notary Michel’Angiolo Brocchi, 222II (1691-1707), no. 21, c. 48r, ASFi, Florence. This regards the Bolognese painter Carlo Cignani, the most esteemed painter of his time in Bologna.

⁵⁴ *Ibid.*, c. 49v.

becoming Christians. In order to achieve this, he assigned his estate to those relatives who converted within four years of his own death, according to a precise scheme of linear descent. In the first place, he designated the son of his sister Ester, followed by the three male children of his brother Abram (including Moses, the future founder of the Ergas-Silvera firm), then the male children of his sister Sara (and her husband Manuel Mora), then his ex-wife and finally his sisters and his nieces (daughters of Abram Ergas and Manuel Mora).⁵⁵ In fact, he was dictating a strict scheme for allocating his inheritance and if various relatives in fact converted (as he hoped), the first to inherit would be the one at the top of the list. Once four years had passed after Fortunati's death, the estate would pass to the first to convert or to that individual's direct male descendants.⁵⁶

In May of 1706, the auditors Carlo Bizzarrini, Ascanio Venturi and Giovanbonaventura Neri Badia, all sitting judges of the Florentine civil court (*Ruota*), finally began deliberating the case filed by Fortunati's daughter Maria Maddalena six years earlier, regarding her right to her allotted portion of her inheritance (*la legittima*).⁵⁷ The legal rationale was explicitly expressed, "The prescribed share of her mother's property is due to the Jewish daughter who subsequently became Catholic, notwithstanding the fact that her mother is still alive. Then after her mother's death, she succeeds to the residual property, in the same manner as if she herself remained Jewish."⁵⁸

The neophyte's request is presented as if it were incontrovertibly legal, but it clashed with two exemptions, as cited by Sara Ergas.⁵⁹ The first is rooted in the *Livornine*, since the neophyte's request explicitly contradicts Article XXVI in that charter. The second derives from the impoverished condition of the mother, whose sole possession is a house in Livorno "the annual income from which barely suffices to keep her in the necessities of life."⁶⁰ In objection to the first argument, the daughter cites Pope Clement XI's bull which purportedly supersedes the relevant article of the *Livornine* by ruling "*non obstantibus privilegiis, indultis*

⁵⁵ Ibid., cc. 49v-50r.

⁵⁶ Ibid., cc. 50r-v.

⁵⁷ *Raccolta delle decisioni della Ruota fiorentina* (1700-1808), 326.

⁵⁸ Ibid.

⁵⁹ Ibid., *Decisione*, § 6, 332.

⁶⁰ Ibid.

etc”⁶¹ (notwithstanding privileges, waivers, etc.). It was also noted that Grand Duke Cosimo III had legislated on various occasions, limiting the directives of the *Livornine*. Regarding Article I, for example, which asserts the freedom of Jews in Livorno and Pisa to reside wherever they wish, he sought to minimize “the danger of cohabitation with Christians”⁶² with a decree ordering separate entrances and a barrier zone (issued on December 20th, 1680). Regarding Article XI, where the *Livornine* foresees Jewish tribunals to hear cases of Jews “having carnal relations with Christians,”⁶³ Cosimo III issued a decree on June 16th, 1679 increasing the penalties. Also, he acted to curb interaction between Jews on one hand and neophytes and catechumens on the other. While Article XXVII allowed Jews to own non-Christian slaves (usually Muslim), a grand ducal edict in 1667 extended the promise of freedom to any such slave who wished to convert to Catholicism, if they went to Florence and made this request in person (no such option was offered to non-Christian slaves owned by Catholics).⁶⁴

The neophyte also objected to her mother’s second claim of exemption, that is to say, her allegation of scant economic means. The daughter’s allotted portion of the maternal estate (*legittima*) should be considered a legal debt, she argued, and the debtor’s lack of resources did not modify the essential obligation. It was also

⁶¹ Ibid.

⁶² Ibid., *Decisione*, § 23, 338.

⁶³ Ibid., *Decisione*, § 24, 338.

⁶⁴ Toaff cites Article XXVII of the *Livornine* and the Letters Patent of 1595, noting that “the only legitimate way to remove a slave from a Jewish master was by paying the market price, if the master consented.” Renzo Toaff, “Schiavitù e schiavi nella Nazione Ebraica di Livorno nel Sei e Settecento,” *La Rassegna Mensile d’Israël* 51, no.1 (1985): 82-95; 85. For related observations, Toaff, *La nazione ebrea a Livorno e a Pisa (1591-1700)*, 329-334. On the subject of slavery and conversion in Livorno, see Cesare Santus, “Schiavitù illegittime e identità incerte,” in *Il “turco” a Livorno. Incontri con l’Islam nella Toscana del Seicento* (Milan: Officina Libraria, 2019), 92-118; Tamar Herzig, “Slavery and Interethnic Sexual Violence: A Multiple Perpetrator Rape in Seventeenth-Century Livorno,” *The American Historical Review* 127, no. 1 (2022): 194-222. Slavery was accepted as long as it could bring “infidels” to the knowledge of the “true” religion, and to liberate all of them would have meant eliminating such slavery system which had led them to their spiritual salvation; Peter Mazur, “Combating ‘Mohammedan Indecency’: The Baptism of Muslim Slaves in Spanish Naples, 1563-1667,” *Journal of Early Modern History* 13 (2009): 25-48; 41. The case of Rome, where an act of liberation was granted to all the baptized slaves in 1566 thanks to pope Pius V, appears as an exception and contrasts with what happened in other cities of the Italian peninsula, such as Florence; Serena Di Nepi, *I confini della salvezza. Schiavitù, conversione e libertà nella Roma di età moderna* (Rome: Viella, 2022); Samuela Marconcini, “Una presenza nascosta: battesimi di ‘turchi’ a Firenze in età moderna,” *Annali di Storia di Firenze* 7 (2012): 97-122.

suggested that the mother might remarry, since she was approximately thirty years old (a contingency cited by the mother's unidentified defenders). In that case, the possibility emerged of having to share the portion with others, or else the portion might be subsumed in debts. It was thus proposed that the mother be declared a debtor of her daughter and obliged to relinquish one third of the house. Meanwhile, the daughter would need to pay 33 *scudi* a year for her mother's maintenance.

The neophyte's second appeal concerned inheritance after her mother's death (*post mortem*). In this regard, the mother's defenders cited two legal exemptions. First, they claimed that Jewish parents were only responsible for the allotted lifetime portion (*legittima*), as stipulated by Pope Paul III's Bull. Therefore, they were not obliged to share their inheritance with their children as if they were intestate (*ab intestato*) and the children needed to await their parents' death before dividing the property. In reply, the sitting judges (*Giudici di Rota*) limited their reading to canon law, focusing on Innocent III, but harking back also to Justinian. The Byzantine emperor allowed the possibility of converted heretics (that is to say, schismatic Christians returning to Orthodoxy) inheriting, whether the estate holder left a viable will or remained intestate, citing a Theodosian precedent (which Justinian failed to include in his code). The sitting judges based their opinion on an imposing series of canonical authorities,⁶⁵ evidently seeking to undermine the *Livornine*, which had been viewed as the ultimate defense of Jewish prerogatives⁶⁶ for over two centuries.⁶⁷

On August 17th, 1707, one year after the lawsuit was filed, Moisè Ergas (alias Francesco Saverio Fortunati) dictated a second secret will which was unsealed only

⁶⁵ These canonical authorities include Prospero Fagnani, Agostinho Barbosa, Pignatelli, Bonacina, Diana, Bellarmino, Menocchio, Suarez and many others. The point is that Canon law prevails over Civil law in matters that might give rise to sin or error, as in the case of the *Livornine*, *Raccolta delle decisioni della Ruota fiorentina (1700-1808)*, § 10, 333-334.

⁶⁶ An undated anonymous memorandum notes that the opinion of the auditors Carlo Bizzarrini, Ascanio Venturi and Giovanbonaventura Neri Badia found favor with the Grand Duke; it was published in 1739 by the Albizzini press. According to a textual note, "si trattava di revocare quella parte del capitolo 26 a favore dei neofiti" [the issue was to turn that part of chapter 26 in the neophytes' favor]; but there is no evidence that this actually happened; *Compagnia, poi Magistrato del Bigallo, secondo versamento*, f. 1169, fasc. 25, ASFi, Florence.

⁶⁷ Toaff, *La nazione ebrea*, 190. Article XXVI was explicitly confirmed in 1695 and 1793; Galasso, *Alle origini di una comunità*, 118.

after his death on May 12th, 1727.⁶⁸ In this new document, the neophyte focused on his daughter Juditta (alias Maria Maddalena) and her previous renunciation of her inheritance on July 29th, 1700. Only now do we learn that the earlier testament presumed that she would become a nun and forfeit both her paternal and maternal inheritance. Should that occur, she would turn over to her father, his heirs and successors “all goods, inherited property, accounts and shares in business enterprises, present and future, associated with the estate of both her father and mother.”⁶⁹ Under these circumstances, the daughter’s lawsuit against her mother can be seen—above all—as an attempt by Moisè/Francesco Saverio to recoup the family patrimony. However, he recognized that his daughter might eventually decide not to enter a convent “due to various intervening circumstances.”⁷⁰ Was he thinking of a failed vocation, perhaps? This is quite interesting, as her daughter had *already* entered the convent he suggested for her in his first will, Santa Scolastica in Buggiano! This convent, originally Theatin and then Benedictine, housed the daughters of rich local families, from Buggiano and the rest of the Valdinievole area, but attracted also women from the main cities of the Grand Duchy of Tuscany, such as Pistoia, Florence, and Livorno.⁷¹ Although cloistered, it was submitted to less strict canonical rigor, so that nuns actually had some relationships with the outside world, enjoying a sort of privileged status which led

⁶⁸ *Notarile moderno, Testamenti segreti pubblicati dal 1571 al 1665*, 10, 21, “Testamento segreto di Francesco Saverio Fortunati, prima del battesimo Moisè di Isach Ergas, 17 agosto 1707,” cc. unnumbered, ASFi, Florence; cit. in Frattarelli Fischer, *Vivere fuori dal ghetto*, 293.

⁶⁹ For his part, Francesco Xaverio undertook to pay the Monastery of Buggiano “la dote, sopradote, sacrazione, pietanze e altro,” in addition to guaranteeing his daughter 12 *scudi* a year for her natural life; *Notarile moderno, Testamenti segreti pubblicati dal 1571 al 1665*, 10, 21, “Testamento segreto di Francesco Saverio Fortunati, prima del battesimo Moisè di Isach Ergas, 17 agosto 1707,” cc. unnumbered, ASFi, Florence.

⁷⁰ *Ibid.*

⁷¹ The dowry requested was 300 *scudi* or 400 *scudi* for foreign nuns, as mentioned in a 1648 memorial and confirmed again in 1733 (the amounts registered in a 1651 pastoral visit, respectively 200 and 300 *scudi*, seem not to be accurate), and lowered to 130 or 180 *scudi* for those coming from “outside the State” to become a “monaca conversa” (not yet ordained); Enrico Cerasi, “Santa Scolastica a Buggiano. Le complesse vicende di un monastero benedettino,” in *Memorie del chiostro. Vita monastica femminile in Valdinievole in età moderna e contemporanea*, eds. Anna Scattigno, Roberto Pinochi, Irene Corradi, and Enrico Cerasi, Atti della 1ª giornata di studi, Massa e Cozzile, 29 gennaio 2005 (Lucca: Edizioni Vannini, 2006), 179, 194 and 207.

them to a longer average life than the local population.⁷² Maria Maddalena was admitted to the convent of Santa Scolastica in Buggiano on April 18th, 1704: on that day, no mention of her Jewish origin was made.⁷³ Contrary to the other girls, though, who took the veil soon after their entrance, her formal investiture came only three years after.⁷⁴ At the time of his second will, then, his father could still consider the possibility for her to leave the convent and marry, in which case, he would allocate her a dowry of one thousand *scudi*.⁷⁵ Moreover, Moisè/Francesco's second will and testament ignores the possibility that one of his Jewish relatives might apostatize. No special inheritance is stipulated in the case of a conversion, although the document begins with an invocation to God and the saints—especially Saint Francis Xavier, to whom he was particularly devoted.

Juditta/Maria Maddalena remained in the convent of Santa Scolastica in Buggiano and received new names as nun on May 9th, 1708: “Maria Vittoria Scolastica Benedetta Serafina,”⁷⁶ to be confirmed (although in a slightly different order) a year after, on the day of her formal profession of faith.⁷⁷ Then, a year after her

⁷² Ibid., 195, 202, and 204-209 (where the availability of chocolate is recorded as a proof of the wealth of the convent!).

⁷³ *Compagnie e luoghi pii soppressi da Pietro Leopoldo*, “Buggiano, Monastero di Santa Scolastica,” no. 833, Ricordi (1638-1770), c. 52v, Sezione di Archivio di Stato di Pescia (henceforth, SASPe), Pescia (Pistoia): “Adì 18 aprile 1704. Maria Madalena [*sic*] figlia del signore Francesco Fortunati da Firenze fu messa a partito per monaca vocale come per lettera di monsignore Benedetto Falconcini preposto di Pescia, e fu vinta per voti tutti favorevoli, cioè n° 17.” She would have been likely 17 years old.

⁷⁴ See below.

⁷⁵ In addition, there was a painting by an unknown author, valued at around 10 ducats and evidently dear to the testator; Ibid.

⁷⁶ *Compagnie e luoghi pii soppressi da Pietro Leopoldo*, “Buggiano, Monastero di Santa Scolastica,” n° 833, Ricordi (1638-1770), c. 52v, SASPe, Pescia (Pistoia): “Adì 9 maggio 1708. Maria Maddalena figliola del signor Francesco Fortunati suddetta, questo soprascritto giorno prese l'abito monacale per mano dell'illustrissimo monsignore Pavolo Antonio Pesenti proposto di Pescia con nome di donna Maria Vittoria Scolastica Benedetta Serafina.” What is noteworthy in this case is that this record comes immediately after the one previously mentioned in note 67, instead of following the chronological order (used by all the records referring to other girls), as if a blank space was intentionally left after Maria Maddalena's name, waiting for her final decision, which came at the age of 21/22 years.

⁷⁷ Ibid., c. 54v: “Adì primo agosto 1709. Donna Maria Serafina Vittoria Scolastica Benedetta professò questo suddetto giorno in mano dell'illustrissimo e reverendissimo monsignor Paolo Antonio Pesenti proposto di Pescia alla presenza di padre Giovanni Lorenzo Cartoni confessore e padre Curtio Tanucci, segretario del medesimo monsignore proposto.”

father's death, in 1728, she decided to completely cover the expenses made by the convent for the purchase of a house for the confessor, and farmer, of the same convent, using the money she had "in deposit,"⁷⁸ and showing herself to be particularly determined to reach this goal ("*zelantissima*"), paying a considerable sum of 115 *scudi*.⁷⁹ Though she was a nun in a Christian convent, her mother had not forgotten her, as she had likely remained her only child.⁸⁰ In 1746, nineteen years after the death of Francesco Saverio Fortunati (formerly Moisè, her ex-husband), Sara Ergas filed her own will in Livorno.⁸¹ In the first part of the document, she focused on her Jewish relatives, to whom she left most of her estate, especially her two great-nieces Ester and Rivca (also Rebecca), the daughters of her nephew Isaac Vita (son of Sara's sister Ester and the late David Silvera).⁸² Sara

⁷⁸ At this stage of the research, it is not possible to indicate whether this sum of money "in deposit" was part of the dowry given by her father or was somehow earned through the artisan manufacture of silk made in the convent. For this activity, Cerasi, "Santa Scolastica a Buggiano," 202-203.

⁷⁹ *Compagnie e luoghi pii soppressi da Pietro Leopoldo*, "Buggiano, Monastero di Santa Scolastica," n° 833, Ricordi (1638-1770), c. 125r., SASPe, Pescia (Pistoia): "Adì 26 aprile 1728. Ricordo come questo presente soprascritto giorno le signore Antonia, e Lisabetta sorelle, e figlie del quondam ser Giovan Domenico Spadoni di Buggiano eredi beneficiate del medesimo hanno venduto alle reverende monache e convento di Santa Scolastica di Buggiano una casa dell'eredità di esso ser Giovan Domenico Spadoni, con tutte le sue aderenze e pertinenze, posta dentro il castello di Buggiano sotto li suoi noti confini etc e per il prezzo di scudi centoquindici a tutte spese di detto convento, il qual prezzo fu pagato de' denari, che teneva in deposito la reverenda madre donna Maria Serafina Fortunati, zelantissima che si facesse la compra di detta casa per il comodo del confessore, e fattore, e sborsati alla signora Maria Caterina Pasqualini vedova lasciata dal predetto ser Giovan Domenico Spadoni, in conto di sua dote, precedente la cessione di sue ragioni e sotto la sicurtà del reverendo signore Benedetto e Giuseppe Anselotti del comune di Uzzano, e del sergente Rocco Adani del comune di Montecatini, e come pare nell'istrumento rogato da ser Domenico Cartoni del Borgo, al quale."

⁸⁰ Sara does not mention issue from a second marriage in the will mentioned here, below.

⁸¹ *Notarile Moderno, Protocolli, Testamento*, 27237, notary Roberto Micheli (1743-1747), no. 16, "Testamento di Sara Ergas del 13 settembre 1746," cc. 24r-27r, ASFi, Florence. The will was recorded a few days earlier on September 6th, 1746 "secondo i riti ebraici" (presumably sworn *more hebreo*, in the Jewish manner) so that it could be «registrato in un pubblico atto»; Ibid., c. 24r.

⁸² She left them 400 *pezze* each. Other Jewish beneficiaries of her will are "Rachele d'Abram del fu Isac Nunes Vais" (who is to receive 100 *pezze* on the occasion of her marriage), "la figlia di Abram del fu Raffael Alfarin" (25 *pezze* on the occasion of her marriage), the rabbi of the city of Safed in the Holy Land (25 *pezze* to perform her funeral service) and "Abram del fu Isac Nunes Vais," this "in recognition of the service that he always rendered me." Ibid., c. 25r.

acknowledges that “Signora Maria Maddalena, who was Giuditta while Jewish,”⁸³ had renounced (or perhaps, had been forced to renounce) both her paternal and maternal inheritance. Still, she decides to leave her a one-time payment of twenty-five *pezze* (25 *pezze una tantum*). Then Sara adds, “if it emerges that my above-mentioned daughter has a legal claim on my estate in whole or in part, in spite of her rejection [of her inheritance]...I bequeath her the allotted portion (*legittima*), as appropriate (*quatenus*) according to law (*de jure* dovuta).”⁸⁴ After many years, the mother entertains the possibility of giving her daughter voluntarily that for which she (Juditta) had fought so long (after having been manipulated by her father, it would seem). The only condition was that this concession fulfill the requirements of the law. Ultimately, the old case (begun in 1701) was rendered moot by Sara’s voluntary acquiescence, without a clear determination of whether the converted daughter had a legal right (or not) to the allocated portion of her still living and still Jewish mother’s estate.⁸⁵ Sara added two codicils to her will, two and four years later, both unrelated to her neophyte daughter.⁸⁶ Then after her death in 1750,⁸⁷ the matter was resolved—at very long last—with a private agreement,⁸⁸ not another lawsuit. As a Jewish convert, “Serafina” (alias Juditta, alias Maria Maddalena) was certainly not allowed to express gratitude for her mother’s unexpected courtesy or to be present at her mother’s deathbed, as she could not have any contact with her Jewish family. Her Jewish origin, though, which didn’t seem to be relevant at all at the moment of her entrance into the convent, as much as not to be recorded, reemerged at the moment of her death, as

⁸³ Even though she was fully aware that her daughter was a nun in the convent of Santa Scolastica in Buggiano (“che presentemente ritrovasi religiosa nel monastero di Santa Scolastica di Buggiano, prepositura di Pescia”), Sara does not mention at all her daughter’s new name, Serafina. *Ibid.*, 25v.

⁸⁴ According to the will, “nel caso, nonostante la detta renunzia, fosse per qualche titolo dovuta alla suddetta mia figlia tutta o parte della mia eredità [...] lasso alla medesima la sua legittima, *quatenus* la medesima li sia *de jure* dovuta.” *Ibid.*

⁸⁵ Unless Maria Maddalena died before her; *Ibid.* At the end of the will, Sara names as her universal heir her sister-in-law Ester, widow of her beloved brother Moisè Ergas, and in the case of Ester’s death, her sons (also Sara’s nephews) Abram Kai and David Kai.

⁸⁶ *Notarile Moderno, Protocolli, Testamento*, 27402, notary Antonio Chiocchini (1746-1773), no. 8, “Codicilli al testamento di Sara Ergas,” August 6th, 1748, cc. 7r-v, ASFi, Florence, and *Notarile Moderno, Protocolli, Testamento*, 27562, notary Paolo Brignole (1748-1757), n° 6, “Codicilli al testamento di Sara Ergas,” July 13th, 1750, cc. 6v-7v, ASFi, Florence.

⁸⁷ Trivellato, *The Familiarity of Strangers*, 25.

⁸⁸ Galasso, *Alle origini di una comunità*, 118.

an open secret. “Donna Serafina” died at the age of 71 years, after receiving all the proper Catholic sacraments on September 30th, 1758, and was buried in front of the altar of the Visitation, which had been endowed with an ecclesiastical benefice.⁸⁹ The anonymous writer of her death record points to the fact that she once belonged to the “Jewish Nation” and had been baptized at the age of 30 months in Florence, for the will of her father, Francesco Fortunati, previously converted, too.⁹⁰ She had been the only nun of Jewish origin ever recorder in that convent.⁹¹ Juditta, alias Maria Maddalena, alias “donna Serafina,” a woman, a Jewish convert to Christianity, and then eventually a nun, was remembered in her mother’s will, even though the twenty-sixth article of the *Livornine* would have permitted Sara not to give her daughter even “a share of any inheritance or property settlement,”⁹² but in a city like Livorno women could make sentimental reasons prevail over economical ones, and a Jewish mother could decide to draw up her own will in favor of her Christian daughter, without wanting her to revert to Judaism.

⁸⁹ Cerasi, “Santa Scolastica a Buggiano,” 188, note 33.

⁹⁰ *Compagnie e luoghi pii soppressi da Pietro Leopoldo*, “Buggiano, Monastero di Santa Scolastica,” no. 846, Registro di monache defunte (1648-1785), c. 14r., SASPe, Pescia (Pistoia): “Adi 30 settembre 1758. Donna Serafina del signore Francesco Fortunati di Firenze di nazione ebrea fu battezzata in Firenze in età di 30 mesi, stata condotta dal suo signor padre, il quale precedentemente era venuto alla Santa Fede, e ricevuti tutti i santissimi sacramenti passò da questa all'altra vita al suddetto giorno all'ore 24 italiane, essendo stata assistita da me Padre Giovanni Lorenzo Carrozzi del Colle, moderno confessore di questo monastero ordinario, e da me le furono fatte l'esequie il di primo ottobre, e di poi fu seppellita in questa chiesa in Santa Scolastica nella sepoltura d'avanti l'altare della visitazione; e era d'anni 71.” According to this source, she was then born in 1687. The transcript of this record given in Cerasi, “Santa Scolastica a Buggiano,” 234, is not accurate at all.

⁹¹ Cerasi, “Santa Scolastica a Buggiano,” 233-235. The initial non-mention of her (and her father’s) Jewish origin contrasts with what happened more than two centuries before, in a totally different context, to “Caterina, the former Jew, daughter of Master Ercole, the former Jew,” who entered the Santa Caterina da Siena convent in Ferrara on August 5th, 1501; Tamar Herzig, “Sister Theodora: From Jewish Girl to Bride of Christ,” in *A Convert’s Tale. Art, Crime and Jewish Apostasy in Renaissance Italy* (Cambridge-London: Harvard University Press, 2019), 146-161; 147. Caterina was not the only nun of Jewish origin accepted in that convent. *Ibid.*, 154.

⁹² Toaff, *La nazione ebrea*, 427.

Samuela Marconcini graduated in Medieval History in 2005 at the University of Florence. In 2011, she received her PhD in Early Modern History at the Scuola Normale Superiore in Pisa. In 2016, she won the Sangalli prize for Religious History, leading to the publication of her book *Per amor del cielo. Farsi cristiani a Firenze tra Seicento a Settecento*, FUP, Florence. She has been working on several projects led by CDEC Foundation in Milan. From 2019 to 2020, she taught the courses “The Holocaust: Jewish and Christian responses” at the Lorenzo de’ Medici school, and “Italy and the Jews: History and Culture from the Renaissance to the Present” at ISI Florence Institute. Currently, she is an art history professor at Villa Aurora Institute in Florence.

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