Poverty and Charity in the Jewish Community of Medieval Egypt

MARK R. COHEN

POVERTY AND CHARITY IN THE JEWISH COMMUNITY OF MEDIEVAL EGYPT

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FROM THE ANCIENT TO THE MODERN WORLD

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In memory of my father,
Simon Leo Cohen (1914–1995),
and for my mother, Selma Cohen

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My first statement on the subject of this book came in a lecture, "Poverty as Reflected in the Genizah Documents," at the Seventh International Conference of the Society for Judaeo-Arabic Studies held at the University of Strasbourg in July 1995. Though much time has passed and I have expanded my findings considerably, I still hope that paper will eventually appear in the much delayed proceedings of that conference. An earlier version of what is now chapter 2 appeared as "The Foreign Jewish Poor in Medieval Egypt," in *Poverty and Charity in Middle Eastern Contexts*, eds. Michael Bonner, Mine Ener, and Amy Singer (Albany: SUNY Press, 2003), 53–72; of what is now chapter 6 in "Feeding the Poor and Clothing the Naked: The Cairo Geniza," in *The Journal of Interdisciplinary History* 35:3 (Winter 2005), 407–21; of what is now chapter 7 as "Four Judaeo-Arabic Petitions of the Poor from the Cairo Geniza," in *Jerusalem Studies in Arabic and Islam* 24 (2000), 446–71. Part of chapter 8 in a different form appeared as "Foundations and Charity in the Jewish Community of Medieval Egypt" in *Stiftungen in Christentum, Judentum und Islam vor der Moderne. Auf der Suche nach ihren Gemeinsamkeiten und*

Unterschieden in religiösen Grundlagen, praktischen Zwecken und historischen Transformationen (*Stiftungsgeschichten, Bd. 4.*), ed. Michael Borgolte (Berlin: Akademie Verlag, 2005), 181–92. In Hebrew, I discussed some aspects of charity that appear in the book in "Halakha and Reality in Matters of Charity during the Geniza Period," in *Ha-islam ve-ʿolamot ha-shezurim bo* (Intertwined Worlds of Islam: Essays in Memory of Hava Lazarus-Yafeh), ed. Nahem Ilan (Jerusalem: Yad Ben-Zvi, 2002), 315–33. A brief overview of some of the material on which the study is based appeared as "The Voice of the Jewish Poor in the Cairo Genizah," in *Semitic Papyrology in Context*, ed. Lawrence Schiffman (Leiden and Boston: Brill, 2003), 239–55. I thank all the publishers for granting permission to reuse the material in the present volume.

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NOTE

TRANSCRIPTIONS of Arabic follow the *Encyclopedia of Islam*, second edition, except that *dj* is replaced by *j* and *ḳ* by *q*. Transcriptions of Hebrew are simplified by the omission of the macron. In both Arabic and Hebrew, "ʿ" represents *ayn/ayin* and "ʾ" represents *alif/hamza/alef*. Following accepted conventions used in editing such texts, square brackets [ ] indicate a lacuna in the manuscript or letters or words that are difficult to decipher; double square brackets [[ ]] indicate something crossed out in the manuscript; slashes // // indicate something added above (sometimes below) the line—single slashes (/ /) are used when only a single letter is so added. Passages from Judaeo-Arabic letters having parts in Hebrew show the Hebrew in italics. Abbreviations of library shelf-marks are included in the "Index of Geniza Texts," which cites every place in the book where a Geniza document is cited and discussed. The notes in the book provide bibliographical information for the documents. The "Index of Geniza Texts" also gives references to documents that are translated in the author's *The Voice of the Poor in the Middle Ages: An Anthology of Documents from the Cairo Geniza*. These documents are also marked in the footnotes by the placement of an asterisk before the shelf-mark. Abbreviations of Geniza documents used in the notes are explained in the "Index of Geniza Texts" at the end.

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POVERTY AND CHARITY IN THE JEWISH COMMUNITY OF MEDIEVAL EGYPT

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INTRODUCTION

Poverty and Charity in Christendom

POVERTY, UNDERSTOOD in the usual sense of 'destitution,' was a permanent feature of the Middle Ages." With these words, Michel Mollat opens his classic study *The Poor in the Middle Ages*.[1] Thanks in good measure to the scholarly leadership of Mollat beginning in the 1960s, the history of the poor has come to occupy an important place in the study of non-elites in premodern Europe, as part of the new social history—"history from below"—to which the French Annalistes and their heirs have contributed so much. The present book owes much to the work of these scholars as well as to the pioneering work of S. D. Goitein on the social and economic history of the Jews in the medieval Arab world. It constitutes a first book-length attempt to probe comprehensively the actual, lived experience of the poor and the mechanics of charity in one particularly well-documented place and period of the premodern Jewish past—medieval Egypt. With its nearly unique access to the actual voice of the poor through the Cairo Geniza, it strives to write "history from below" and "history from above" together.[2]

Normally a study like this would seek its historiographical context within the Islamic world. But, while charity forms one of the five cardinal religious obligations of every Muslim, a well-developed research literature on poverty and charity in Islam does not yet exist. The recent growth of research on the idea of poverty and poor relief in the Islamic world has been long overdue, and the present work sees itself as part of that new field.[3] To the extent possible, given the current state of scholarship, this book draws comparisons with the majority society and, in turn,

[1] Michel Mollat, *The Poor in the Middle Ages: An Essay in Social History*, trans. Arthur Goldhammer (New Haven and London, 1986). French original: *Les pauvres au moyen age* (Paris, 1978).

[2] A representative selection of letters, alms lists, and donor lists in English translation with commentaries can be found in Mark R. Cohen, *The Voice of the Poor in the Middle Ages: An Anthology of Documents from the Cairo Geniza* (Princeton, 2005).

[3] Exemplified by the National Endowment for the Humanities-sponsored conference on "Poverty and Charity in Middle Eastern Contexts," held at the University of Michigan in

sheds light on the Islamic case, even on some hitherto not sufficiently appreciated aspects of the latter.

Normally, too, a study like the present one would lean on research about poverty and charity in Judaism, both in antiquity and in medieval Europe. Unfortunately, and surprisingly given the centrality of the religious duty (*miṣva*) of charity, *ṣedaqa*, in Judaism, that field of Jewish history is similarly underdeveloped.[4] Thus the theoretical models and many of the questions this study asks come not from the world of Islam or from the world of Judaism but from the orbit of Christendom, where research has been in progress for decades.

For many reasons, a community such as the one that lies at the center of this study is precisely where the research on poverty and charity in medieval Judaism ought to begin. First of all, as stated, it is particularly well documented compared with other parts of the Jewish world in the Middle Ages. Moreover, the Jews of Egypt belonged to the Near East, where rabbinic (preceded by biblical) Judaism was born, and where, under the leadership of the great yeshivot of Babylonia (Iraq) in the early

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May 2000. The papers read at that conference, including my own, entitled "The Foreign Jewish Poor in Medieval Egypt" (the foundation of chapter 2 in the present work), have been edited and published by Michael Bonner, Mine Ener, and Amy Singer in *Poverty and Charity in Middle Eastern Contexts* (Albany, 2003). Another conference was held in 1999 in Aix-en-Provence, and the papers have been published in *Pauvreté et richesse dans le monde musulman méditerranéen*, ed. Jean-Paul Pascual (Paris, 2003). A meritorious recent work on the subject of charity in medieval Islam is Adam Sabra, *Poverty and Charity in Medieval Islam: Mamluk Egypt, 1250–1517* (Cambridge, 2000).

[4] Indeed, the same holds true for the modern period, as is noted in Rainer Liedtke, *Jewish Welfare in Hamburg and Manchester, c. 1850–1914* (Oxford, 1998), 1. Most of the memorial volume, *Sefer ha-zikkaron le-Avraham Spiegelman* (Memorial Volume for Avraham Spiegelman), ed. Aryeh Morgenstern (Tel Aviv, 1979), is dedicated to essays on Jewish charity (*ṣedaqa*). No comprehensive book on poverty and charity in Judaism has yet superseded the outdated *Ha-ṣedaqa be-yisrael: toledoteha u-mosedoteha* (Charity among the Jews: History and Institutions) (Jerusalem, 1944) by Yehudah Bergman. An excellent article on the subject for the Ashkenazic lands is Elliott Horowitz, "'(Deserving) Poor Shall Be Members of Your Household': Charity, the Poor, and Social Control in the Jewish Communities of Europe between the Middle Ages and the Beginning of Modern Times" (Hebrew), in *Dat ve-kalkala: yaḥasei gomlin* (Religion and Economy: Connections and Interactions), ed. Menahem Ben-Sasson (Jerusalem, 1995), 209–31, which also speculates on reasons for the dearth of serious study of the general subject. See also Frank M. Loewenberg, *From Charity to Social Justice: The Emergence of Communal Institutions for the Support of the Poor in Ancient Judaism* (New Brunswick and London, 2001) and Michael Hellinger, "Charity in Talmudic and Rabbinic Literature: A Legal, Literary and Historical Analysis" (Hebrew) (PhD diss., Bar Ilan University, 1999). Ephraim Kanarfogel's brief article on charity in the recently published *Medieval Jewish Civilization: An Encyclopedia*, ed. Norman Roth (New York and London, 2003), 147–49, presents glimpses of the situation in Christian lands, giving a sense of the work that needs to be done.

Islamic period, the foundations of medieval Jewish culture both in the Near East and in Europe were laid.[5] In addition, during the period covered by this study the vast majority of world Jewry still lived in the orbit of Islam. When communities like Fustat (Old Cairo) in Egypt could boast having a Jewish population of seven thousand and Alexandria three thousand in the mid–twelfth century, according to the famous Spanish Jewish traveler Benjamin of Tudela, the largest communities in the Ashkenazic lands of Latin Europe held perhaps no more than five hundred souls.

This book, therefore, stands as a *point de départ* for those seeking to investigate the subject of poverty and charity in the premodern Jewish world in general. Assuming, as is proper, that the Judaeo-Arabic community studied here represents some modicum of continuity with earlier Judaism in the Near East, where differences with the European world seem to exist European specialists will have to ask whether these differences reflect the particular environment of Christian Europe, and why.[6] Conversely, since Jewry in medieval Europe is known to have perpetuated Jewish traditions transferred via the trade routes from the Near East to the northern shores of the Mediterranean and from there to inner Europe, the present study attempts to determine to what extent distinguishing characteristics of poverty and Jewish charity in the Islamic world reflect the Islamic milieu.

It is in the vast and sophisticated body of literature about poverty and charity in Christianity, however, that I found ideas and approaches that I could apply fruitfully to the Jewish community of Egypt. Principles and structural phenomena discussed by the Annales school of social history, as well as by others, turned out to have relevance to the Jewish case, even though my research lies in the orbit of Islam and not the world of Christianity. These insights and their pertinence will emerge in the chapters that follow. For the moment, it will be useful to give a concise synopsis of the scholarly understanding of the history of poverty and charity in medieval and early modern (Latin) Christendom.

[5] See Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven, 1998).

[6] Among potential sources for such a comparative study are letters on behalf of the poor that are extant, not in a geniza, but in Hebrew epistolographical manuscripts, for instance, the so-called *qibbuṣ* ("collection") letters from early modern Italy on behalf of the poor of the Holy Land, captives, and individuals, examples of which are included in the epistles of Rabbi Judah Aryeh Modena (d. 1648 in Venice) (*Iggerot R. Yehuda Aryeh Mi-modena* [Letters of Rabbi Leon Modena], ed. Yacob Boksenboim [Tel Aviv, 1984], e.g., pp. 209–12, 213–15, 224–25, 232–33, 293–94) and in pedagogical manuals like *Iggerot melammedim* (Letters of Jewish Teachers), ed. Yacob Boksenboim (Tel Aviv, 1985), 52 and index s.v. *qibbuṣim*.

Poverty and Charity in Medieval and Early Modern Christendom

Pre-Christian Greek and Roman philanthropy had little to do with pity for the poor—with charity as we know it. Rather, people, or the state, made gifts to cities or its citizens, built buildings, or provided shelter for wayfarers in order to gain prestige as benefactors (the Greek euergitism). Ancient Greeks knew that some people were poor and even distinguished between the *ptōchos* and the *penēs*, designating, respectively, in the words of Evelyne Patlagean, the passively impoverished individual, "depend[ent] on others for everything," and the person whose efforts at work "were not enough to provide him with a satisfactory and secure living."[7] But there was no ethos of pity, of helping these people just because they were indigent. Things changed, however, with the coming of Christianity and especially the Christianization of the pagan Roman Empire beginning in the fourth century. Drawing upon its Jewish roots but carrying the legacy in new directions, the Church and the Christian Empire constructed charity as a response to pity for the poor. Bishops and monasteries became the new focal points for distribution of assistance for the needy.

In the early, feudal Middle Ages, the "poor" represented mainly a political and social category—the "weak," juxtaposed to the "powerful," as shown in an influential study by K. Bosl.[8] With the growth of a commercial, urban, monetary society in the central Middle Ages, economic factors enlarged the ranks of the poor, now seen as victims of economic rather than "status" poverty. Catholicism extolled poverty as a religious virtue, and charity as a means to achieve salvation. The *involuntary* poor, for their part, even if disparaged or suspected when they engaged in begging, were said to perform a vital and positive religious function: they provided an opportunity for the well-off to atone for sins and earn salvation through gifts to the indigent and through prayers reciprocated by the latter on their behalf. Those who *voluntarily* undertook to live a pauper's existence, including the mendicant friars of the thirteenth century, were thought to be actualizing one of the highest degrees of Christian piety.

In medieval Christendom, relief reached the poor primarily through three routes: (1) distribution of alms (usually food, clothing, or fuel) by churches and monasteries, (2) private charity, and (3) hostels for wayfar-

[7] Evelyne Patlagean, "The Poor," in *The Byzantines*, ed. G. Cavallo (Chicago, 1997), 15, and idem, *Pauvreté économique et pauvreté sociale à Byzance 4e–7e siècles* (Paris and The Hague, 1977), 17–35.

[8] K. Bosl, "Potens und Pauper: Begriffsgeschichtliche Studien zur gesellschaftlichen Differenzierung im frühen Mittelalter und zum 'Pauperismus' des Hochmittelalters," in *Alteuropa und die moderne Gesellschaft: Festschrift für Otto Brunner* (Göttingen, 1963), 60–87.

ers, the elderly, the physically and mentally sick, and others—institutions that later evolved into medical hospitals. None of these methods of poor-relief was particularly systematic. The sixteenth century saw the introduction of more organized, "rational" strategies for public poor relief, centralized in the hands of secular rather than ecclesiastical authorities and applying stricter and more effective rules than in the Middle Ages for determining who among the poor deserved relief. These developments resulted from a number of interacting factors. There was population expansion. At the same time, Europe fell upon economic hard times. Both of these contributed to the growth in the number of poor, especially in the cities. These factors were accompanied by an increase in vagabondage and intensified disdain for and fear of public begging. The new Protestant work ethic contributed significantly to the change in attitude toward the poor as did Catholic humanist proposals to improve social welfare. The English Poor Laws, crystallizing around 1600 and introducing the idea that poor relief should be supported by public taxation, represent one well-known manifestation of the secularization and "rationalization" of poor relief in western Europe in the early modern period.[9]

Poverty and Charity in Judaism

Sketchy as such a portrait must be as well, it is useful at the outset to describe the basic features of poverty and charity in Judaism. The fundamental constellation of Jewish ideas about poverty—that the poor are to be viewed with compassion, assisted, and not oppressed—is firmly rooted in the Bible. The very word for "charity" in the Bible, *ṣedaqa*, which in its more inclusive semantic usage means "righteousness," is often paired

[9] See, for instance, in addition to Mollat, *The Poor in the Middle Ages*, Bronislaw Geremek, *Poverty: A History*, trans. Agniezka Kolakowska (Oxford, 1994); Demetrios J. Constantelos, *Byzantine Philanthropy and Social Welfare* (New Brunswick, 1968); Natalie Zemon Davis, "Poor Relief, Humanism, and Heresy," in *Society and Culture in Early Modern France* (Stanford, 1975), 17–64, originally published in *Studies in Medieval and Renaissance History 5* (1968), and subsequently included in French in the important collection *Etudes sur l'histoire de la pauvreté*, ed. Michel Mollat, 2 vols. (Paris, 1974), 2:761–822, a pair of volumes of essays by Annales historians that is a fundamental resource; Lester K. Little, *Religious Poverty and the Profit Economy in Medieval Europe* (London, 1978); Paul Slack, *Poverty and Policy in Tudor and Stuart England* (London and New York, 1988); and, out of the myriad of smaller studies for that period, Marjorie McIntosh, "Local Responses to the Poor in Late Medieval and Tudor England," *Continuity and Change* 3 (1988), 209–45. For the pre-Christian period see the still important book by A. R. Hands, *Charities and Social Aid in Greece and Rome* (London, 1968), and the recent succint summary in Peter Brown, *Poverty and Leadership in the Later Roman Empire* (Hanover, NH, and London, 2002), 1–6—in its entirety another important fundamental work for the early Christian period.

with the term *mishpaṭ* in the sense of "(social) justice."[10] For the giver, it is a duty (miṣva) commanded by God; for the needy, it is an entitlement. The biblical laws of charity themselves are mainly agricultural, in keeping with the agrarian nature of Israelite society. The poor collect crops left in the field each year at harvest time, and the benefactor's charity consists in his leaving them for the needy to gather. The stranger, the widow, and the orphan are particularly singled out as being deserving of charity. During the sabbatical year, when fields lie fallow, the poor gather the wild growth. Because the poor often had to borrow in distress, the Torah legislated other acts of benevolence, including interest-free loans, cancellation of debts, and release from debt-servitude after seven years. God commands that the poor be provided with enough to sustain him in his usual manner—*dei maḥsoro*, "sufficient for whatever he needs" in the language of Deuteronomy (15:8).

Charity in biblical Israel, almost entirely a private affair, was believed to benefit not only the poor, but also those who aided them. The ethos of poverty is most explicit in the Prophets and the Writings, including the biblical Wisdom Literature. In one conception, everything in the material world belongs to the Lord ("The earth is the Lord's and all that it holds, the world and all its inhabitants," Psalm 24:1), so gifts to the poor constitute their due from heaven. According to another view, God made man the proprietor of the material world ("The heavens belong to the Lord, but the earth He gave over to man," Psalm 115:16). Human beings should imitate God in their material beneficence, for which God will reward them in return. Treating the poor with kindness is like lending to God; the giver will receive divine reward for his generosity (Proverbs 19:17).

In the postbiblical period, charity developed in new directions as Jewish society surrendered its predominantly rural and agrarian character, and craft-based and commercial urban life slowly emerged. Especially outside the borders of the Land of Israel, where the laws of the Bible regarding agricultural harvest gifts for the poor did not apply, new forms of assistance came to the fore. Private charity continued, of course, in the form of voluntary gifts to the poor made by individuals, and we read about this in many a story in the Talmud and midrash. Side by side with private charity, however, postbiblical Judaism—how early we cannot say—developed institutions of what we would call public charity, remembering that "public" here means the autonomous Jewish community and its synagogue congregations, not the ruling gentile state.

[10] I follow Moshe Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East* (Jerusalem and Minneapolis, 1995), who has conclusively shown that the term ṣedaqa carries the meaning of charity in many places in the Bible, especially the Prophets, Psalms, and the Wisdom Books, and not just, as formerly thought, in a single late, Aramaic passage in the book of Daniel (4:24).

The Mishna (the code of Jewish law compiled in Palestine ca. 200 CE), the Tosefta (a collection of laws not included in the Mishna and thought to have been compiled ca. 400), and the Babylonian Talmud (the commentary on the Mishna, completed ca. 500) describe public means of collecting gifts for the poor, distributing food and clothing, and providing shelter. To a limited extent archaeological finds corroborate these prescriptions. Particularly prominent are the twin institutions of the *tamḥui*, a daily distribution of food for the wayfarer, often translated loosely as "soup kitchen," and the *quppa*, literally "basket," the weekly dole of bread or cash for resident local indigents. There is some discussion in rabbinic sources of how to determine the poverty line, of discerning the deserving from the undeserving poor, and how to prioritize charity among family, local residents, and the foreign poor. Everywhere in Jewish literature, poverty is considered a misfortune. Unlike some forms of Christianity and Sufi Islam, Judaism does not approve of voluntary poverty as a form of piety, or encourage it.

At a time, therefore, when the pagan Roman world knew nothing of a concept of benevolence based on pity for the poor, Jews, out of empathy, organized communal relief efforts so that those in need would not starve, lack basic clothing, or go without shelter. The contrast that the last pagan Roman emperor, Julian the Apostate, drew in the fourth century between empathetic, benevolent Judaism and Christianity, on the one hand, and paganism's failure in this regard is emblematic of what Peter Brown argues constituted the "new departure" of Christianity and Judaism vis-à-vis the pagan world.[11]

The legalistic substratum of so much of the discussion of charity in Jewish sources, both biblical and postbiblical, as contrasted with Christian rhetoric of love of the poor, has led many to espouse an unnecessary dichotomy, overlooking the fact that the compassion for the poor that Christianity imposed on the pagan world had its antecedent, like so much else in nascent Christianity, in Judaism, even though Christianity took charity in new directions with new emphases and new institutional forms.[12] Judaism's and Christianity's notion that poverty is a social ill evoking sympathy and pity and calling for philanthropic response was assimilated later on by Islam as well.

[11] From Julian's *Epistle* no. 22: "For it is disgraceful that, when no Jew ever has to beg, and the numerous impious Galilaeans [Christians] support not only their own poor but ours as well, all men see that our people lack aid from us [that is, from the pagan priesthood]." Quoted in Lee I. Levine, *The Ancient Synagogue: The First Thousand Years* (New Haven, 2000), 372, and in Brown, *Poverty and Leadership*, 2; cf. 5–6.

[12] One example on the Christian side is Frederick B. Bird, "Comparative Study of the Works of Charity in Christianity and Judaism," *The Journal of Religious Ethics* 10 (Spring 1982),

After the redaction of the Talmuds, the Palestinian Talmud circa 400 CE and the Babylonian Talmud a century or more later, we enter a dark age in Jewish history, with few sources about anything in Jewish life until well after the rise of Islam. Furthermore, despite what we do know about the institutions of public charity in the talmudic literature, we know little about the actual practice of charity, whether private or public, even then. That is where the Cairo Geniza steps in.

The Cairo Geniza

The richest body of material for the history of poverty and charity in the Jewish world of the Middle Ages reposes in the documents of the Cairo Geniza. An ancient Jewish custom with roots in the period of the Mishna and Talmud prohibits the destruction of pages of sacred writing, in theory, fragments of the Bible containing God's name, but in practice anything copied or printed in the Hebrew script. These papers must be buried in a *geniza* (the word *geniza* means both "burial place" and the act of "burying"). Normally, a geniza is located in a cemetery. But the Cairo Geniza was special. For various reasons, not fully understood to this day,[13] it was situated in a chamber behind a wall *inside* a synagogue, the so-called Ben Ezra Synagogue in Fustat, which dates back to the Middle Ages and possibly even to pre-Islamic times.[14] This had two for-

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144–69. That the morality of early Christian charity did not evolve in a vacuum but flowed from Judaism's own philanthropic principles and practices, biblical and postbiblical, is argued by Jewish scholars such as Ephraim Urbach in a seminal article, "Political and Social Tendencies in Talmudic Concepts of Charity" (Hebrew), *Zion* 16 (1951), 1–27, and more apologetically (countering Christian claims of innovation and uniqueness) by others, for instance, by Solomon Schechter, "Notes of Lectures on Jewish Philanthropy," in *Studies in Judaism* (*Third Series*) (Philadelphia, 1924), 238–76, 300–305; Ephraim Frisch, *An Historical Survey of Jewish Philanthropy: From the Earliest Times to the Nineteenth Century* (New York, 1924); and Loewenberg, *From Charity to Social Justice: The Emergence of Communal Institutions for the Support of the Poor in Ancient Judaism*, 181–93. The Christian rabbinic scholar George Foot Moore, in response to much unsympathetic Christian writing about cold legalism in Judaism, emphasizes the centrality of love in the ethics of Judaism at the time of the rise of Christianity, *Judaism in the First Centuries of the Christian Era: The Age of the Tannaim*, 2 vols. (Cambridge, 1927–54), passim, including his chapter on "private and public charity" in the section "Morals," 2:162–79. Conflicting views on the issue of Jewish charity at the time of Jesus are discussed in David Seccombe, "Was There Organized Charity in Jerusalem before the Christians?" *The Journal of Theological Studies*, new series, 29 (1978), 140–43.

[13] See Mark R. Cohen and Yedida K. Stillman, "The Cairo Geniza and the Custom of Geniza among Oriental Jewry: An Historical and Ethnographic Study" (Hebrew), *Pe'amim*, no. 24 (1985), 3–35.

[14] See Phyllis Lambert, ed., *Fortifications and the Synagogue: The Fortress of Babylon and the Ben Ezra Synagogue, Cairo* (London, 1994).

tunate consequences. First, the contents of this Geniza were concentrated in one space and easily accessible once it was discovered. Second, because Egypt is such an arid country, the pages buried there stood the test of centuries without molding, so that even when a page is torn or riddled with holes the ink can be read today almost as clearly as when it was copied as long as a thousand years ago.

It has been estimated that the Cairo Geniza contains upward of 210,000 items (shelfmarked fragments) of handwritten text. When individual folios are counted the total rises to around three-quarters of a million. The vast majority are leaves from books, such as medieval Hebrew poetry, halakhic literature, midrashic texts, philosophical works, magical texts, and liturgical compositions (usually pages from prayerbooks). Surprisingly, the cache also includes a wide variety of individual documents from everyday life, many of which we would call "secular." They date mostly from the eleventh to mid–thirteenth centuries and comprise letters, court records, marriage contracts, deeds of divorce, wills, accounts, book lists, lists of recipients of charity and of gifts for charitable purposes, and official documents such as petitions to be submitted to the Muslim authorities. These individual fragments, which we call the "historical documents" (as opposed to the literary fragments mentioned above), constitute perhaps 5 percent of the Geniza as a whole. Though many are in Hebrew or Aramaic, most are written in Judaeo-Arabic, that is, Arabic in Hebrew characters and displaying grammatical and syntactic features differentiating it from the language of the Qur'ān and other medieval classical Arabic writings. Administrative documents addressed to the Muslim authorities are, of course, in Arabic script (they are usually drafts). The Geniza also contains fragments from Islamic books, even pages of the Qur'ān in Hebrew transcription, signs of the cultural embeddedness of the Jews in Arab-Muslim society of the Middle Ages. The historical documents confirm that the so-called classical Geniza period (stretching from ca. 1000 to 1250) was one of relatively peaceful coexistence between Jews and their neighbors, especially compared to the high Middle Ages in northern Europe.[15]

Discovered at the end of the nineteenth century, the contents of the Geniza were dispersed among more than twenty libraries and private collections, from Cincinnati, Ohio, to St. Petersburg, Russia.[16] More than

[15] This comparison is explored in my *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton, 1994).

[16] See the Introduction to S. D. Goitein's *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of The Cairo Geniza*, 5 vols. plus Index volume by Paula Sanders (Berkeley and Los Angeles, 1967–93) (hereafter *Med. Soc.*), as well as Stefan C. Reif, *A Jewish Archive from Old Cairo: The History of Cambridge University's Genizah Collection* (Richmond, Surrey, 2000). Microfilm copies of most or all

one hundred years of research on these fragments have produced more knowledge about Jewish life and literature in the Islamic Middle Ages than was previously imagined possible. In particular, the historical documents have revealed aspects of economic, social, and family life, as well as material culture and the mentality of the individual, that were previously completely unknown. To cite one example, the Geniza contains many autograph letters of Maimonides, the great legist and philosopher, who lived in Egypt for most of his life and died there in 1204. They tell us things about his personal and public life, including his role in charity, that are not mentioned in any of his literary writings.

The documents from everyday life are not easy to read. Unlike pages from literary texts, they were not protected by the covers of a book. Moreover, most of the letters (the legal documents differ in this respect) were not copied by professional scribes, or at least not by highly skilled ones. They are therefore hard to decipher, even when they are not torn. But most of them *are* torn or have holes, so that important information is missing. Often pieces of one and the same page of writing ended up as far apart as New York; Cambridge, England; and St. Petersburg, Russia.[17]

The Cairo Geniza poses another difficulty. As the greatest of all Geniza scholars, S. D. Goitein, pointed out, it is not an archive; it is "the very opposite of an archive."[18] Its contents were not housed for future retrieval, or stored in systematic fashion to enable people later on to find documentation of this or that fact or event. Parish records from early modern Europe are proper archives, and so are the abundant and well-preserved records from medieval England. By contrast, the Geniza is a refuse heap, a graveyard of discarded pages of writing. It is representative of historical trends but it is nowhere exhaustive. Nonetheless, it tells us much, and it is unique, having no counterpart in European or Islamic sources for a comparable period.

The present study is based mainly on this astoundingly valuable collection of manuscript sources. They offer the best case study we have of the life and thinking of the needy underclass in premodern Jewish history,

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of the Geniza manuscripts are held in the Institute of Microfilmed Hebrew Manuscripts in the Jewish National and University Library in Jerusalem, Cambridge University Library in England, Tel Aviv University, Yeshiva University, and the Jewish Theological Seminary in New York. The historical documents are available in photocopy or on microfilm at Princeton University.

[17] One example: Mark R. Cohen, "New Light on the Conflict over the Palestinian Gaonate, 1038–1042, and on Daniel b. ʿAzarya: A Pair of Letters to the Nagid of Qayrawan," *AJS (Association for Jewish Studies) Review* 1 (1976), 1–40, based on the chance reconstruction of a letter (actually a pair of letters, one on each side of the page) from two pieces, one in Cambridge, published in 1922, and the other in New York, discovered around 1975 by the present writer.

[18] *Med. Soc.*, 1:7.

and of those who came to their relief. Especially, they give us the opportunity to hear the voices of the poor themselves, something unavailable in sources for either the medieval Christian or Islamic world. In addition, they allow us to take the measure of private charity, by nature nonpublic and rarely leaving written records. The anecdotal material in this book, the product of painstaking philological and paleographical labor in the Geniza records, is offered in abundance both because it is otherwise inaccessible to nonspecialists, let alone the general public, and because it gives a human dimension to the topic. The letters relate in intimate detail the plight of the poor, their views about themselves, their needs, and the strategies they employed in petitioning for assistance. It is *histoire événementielle*, to be sure, the history of what people did on a daily basis, but it is at the same time a case study in *longue durée* structures of history, stretching across time and space and across societies and cultures, as well as of the *mentalité* of the non-elite.

As he did in so many matters concerning the Geniza, Goitein pointed the way in our subject. He identified and described documents relating to the "social services" of the Jewish community, wrote a long and fascinating chapter on that subject in the second volume of *A Mediterranean Society*,[19] and devoted several pages to the more personal aspects of poverty in the fifth and final volume of this monumental opus.[20] Moshe Gil carried the work of his teacher further in his study of the pious foundation, the *heqdesh* (or *qodesh*), the Jewish counterpart of the Islamic *waqf*, demonstrating how much can be learned from the Geniza about the way this parallel revenue system functioned not only in the Jewish community, but also among Muslims, since Islamic waqf deeds from this period have mostly not survived.[21] Direct charity, however, as opposed to support for institutions and for public functionaries, played a relatively small role in Jewish waqf expenditures. The question of how revenues from other Jewish charitable sources were applied to relief of the poor has up till now awaited a systematic investment of research energy. In the present study it has entailed a detailed analysis of the lists of beneficiaries and of contributors identified by Goitein and many more not noted by

[19] *Med. Soc.*, 2:91-143.

[20] *Med. Soc.*, 5:73–94.

[21] Moshe Gil, *Documents of the Jewish Pious Foundations from the Cairo Geniza* (Leiden, 1976), which has been supplemented by Ora Vaza, "The Jewish Pious Foundations according to the Cairo Geniza Documents: Appendix to Prof. Moshe Gil's Study" (Hebrew) (MA thesis, Tel Aviv University, 1991). Unlike the Islamic documents, very few of the Jewish ones are actual dedications of waqf; most of them are accounts recording revenues and expenditures of pious trusts. On the other hand, most of the Islamic waqf deeds from the later period emanate from the ruling class, whereas the Jewish foundations represent gifts from the middle class of society.

him, paleographically a difficult task but also a rewarding one. In addition, the hundreds of letters of the poor and on their behalf have not up till now been subjected to thorough study.

Types of Documents

In general, two types of Geniza documents underlie this study: narrative material and statistical material. By narrative material I mean, first and foremost, the letters of appeal from the needy and letters of recommendation by others written on their behalf. The narrative material also encompasses court records, responsa (some from outside the Geniza), and wills. The statistical matter consists of lists of beneficiaries of public charity and records of contributors to eleemosynary causes.

Relatively little of either of these two categories of primary material has been published. Goitein catalogued 250 lists of beneficiaries of communal poor relief and registers of benefactors and expenditures for poor relief in two appendixes in the second volume of *A Mediterranean Society*, laying the groundwork for further research on this aspect of poverty and charity. I have identified more than sixty additional registers. These documents have been viewed as boring, and boring they are unless one approaches them with questions of the type that animate the present study.

Fewer than twenty of the approximately 315 lists I have collected have been published; most of the sixty or so legal documents are also unpublished. Most of the half-dozen relevant responsa and the dozen or so wills have appeared in print. Another nine documents consist of literary specimens, including prayers for benefactors and two liturgical poems, these two having been published. The letters are intrinsically more interesting than the lists. Nonetheless, the number of letters available in print is still relatively small—only about 175 of the approximately 485 letters have been edited in full—and in many studies the information about the poor was either secondary or incidental to the editor's main interest, and so received little attention.

Most of the letters of appeal are short, despite the few long and verbose specimens of model letters from Jewish epistolographic manuals found in the Geniza.[22] It seems that the interested parties did not wish to burden the addressees unnecessarily. They wanted help, and they did not want to distract their would-be benefactors from responding, and quickly. In addition, and for the same reason, they sometimes turned to scribes, who knew the value of brevity in these cases and seem to have purposely steered away from injecting the heavy doses of quotations from biblical

[22] The long Hebrew letter of appeal, AIU VII A 36 (fifty-six lines), represents a rarity.

and rabbinic sources found in the sample letters of appeal. Or, perhaps being paid very little, if anything, for their services, they intentionally kept the letters short. But even in the brevity there is variety, and it is precisely the variety that begs the historian's interpretation.[23]

The language of the correspondence has a strong repetitive nature, and while repetitiveness suggests that writers employed well-established literary conventions and did not report the peculiarities of a particular situation, most of the facts seem realistic enough. And even where praise and exhortation overflow, they reflect social expectations, and these must not be overlooked.

Limitations of the sources

The total number of Geniza documents gathered for this study is around 890.[24] If, as I and some others have estimated, the maximum total number of documentary fragments comes to about 15,000 (from the smallest piece containing one line of writing to the longest letters), this quantity would represent around 5–6 percent of the total. Compared to the amount of documentary material underlying other Geniza monographs, this is not an inconsiderable quantity of evidence dealing with one subject.[25]

There are obvious reasons for the large deposit of documents relating to poverty and charity. The Ben Ezra Synagogue was the community's main institution in Fustat. It was where community business was conducted, the rabbinical court held its sessions, clerks compiled their record books, accounts of communal income and expenditure were rendered, people prayed, letters of appeal to the community were read aloud, and pledges were made for needy individuals or to augment the philanthropic

[23] There is much of this interpretation in Cohen, *The Voice of the Poor in the Middle Ages*.

[24] Additional relevant documents might still be found, but in my experience with Geniza research, when in the course of the final writing I have discovered or been made aware of an additional document, it has not altered any significant conclusion. On the contrary, almost unfailingly the new document has confirmed conclusions already reached. It is particularly difficult to locate incidental references to poverty in letters concerning other subjects. Moshe Gil kindly sent me a short list of such incidental references in letters published by him in *Be-malkhut yishmael* (see below note 25)—passages so incidental that, apart from Gil's intimate knowledge of these texts, only a searchable online database containing these documents could have found the information. Characteristically, these references, insofar as they are substantive, confirmed what I already knew on the basis of the documents in my corpus that deal *primarily* with poverty.

[25] For comparison, the first book-length work on historical documents from the Geniza, Jacob Mann's *The Jews in Egypt and in Palestine under the Fāṭimid Caliphs*, 2 vols. (1920–22; reprint New York, 1970), was based on about 170 more or less fully edited texts in its appendixes (in volume two) and many more merely mentioned. Dozens more were edited

resources of the community. Furthermore, private letters of appeal received at people's homes or places of business became candidates for discard in the Geniza almost immediately. Once received and dealt with they no longer had any use and there was no need to hold onto them.[26] Furthermore, they often came from foreigners and so had no sentimental value for their recipients.

To be sure, many of the pieces we have are tiny, or torn, or both. But even tiny fragments can have significance. For example, between 1996 and 1999, I examined boxes in the Jewish Theological Seminary's Elkan Nathan Adler Geniza Collection containing more than one thousand small, crumpled fragments that had never been fully sorted, or conserved, or assigned library shelfmarks, let alone studied. I found there about forty-five new historical documents, which now have been bound as ENA New

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by Mann in a sequel, *Texts and Studies in Jewish History and Literature*, 2 vols. (1931–35; reprint New York, 1972). Goitein published hundreds of documents in small batches in scores of articles dealing with specific subjects. Well over four thousand documents underly the five volumes of *A Mediterranean Society* (1967–88). He selected eighty letters and accounts for an exemplary volume of *Letters of Medieval Jewish Traders, Translated from the Arabic* (Princeton, 1973). Of the 184 documents he identified as relating to the charitable foundations in Appendix A of volume 2 of *A Mediterranean Society*, 147 were later published by Moshe Gil in *Documents of the Jewish Pious Foundations from the Cairo Geniza* (1976); an additional 83 were edited by Gil's student, Ora Vaza, in her master's thesis, "The Jewish Pious Foundations according to the Cairo Geniza Documents: Appendix to Prof. Moshe Gil's Study" (Hebrew) (1991). Gil published 619 Geniza documents in *Ereṣ yisrael ba-tequfa ha-muslemit ha-rishona* (Palestine during the First Muslim Period [634–1099]), 3 vols. (Tel Aviv, 1983) and added 23 more in an article, "Palestine during the First Muslim Period (634–1099): Additions, Notes, and Corrections" (Hebrew), *Teʿuda*, ed. Mordechai Akiva Friedman (Tel Aviv, 1991), 281–345. His newest compendium, *Be-malkhut yishmael bi-tequfat ha-geonim* (In the Kingdom of Ishmael: Studies in Jewish History in Islamic Lands in the Early Middle Ages), 4 vols. (Tel Aviv and Jerusalem, 1997), contains 846 documents. *Yehudei siṣiliya 825–1068: teʿudot u-meqorot* (The Jews of Sicily, 825–1068: Documents and Sources), ed. Menahem Ben-Sasson, comprises 127 edited texts and, in an appendix, briefly describes an additional 112 that mention Sicilians but are not included in the volume. Mordechai Akiva Friedman's *Jewish Marriage in Palestine: A Cairo Geniza Study*, 2 vols. (Tel Aviv and New York, 1980–81) is based on 67 published documents, while his *Ribbui nashim be-yisrael* (Jewish Polygyny in the Middle Ages: New Documents from the Cairo Geniza) (Jerusalem, 1986) contains 70. Elinoar Bareket found 132 documents to incorporate into her two related books, *Shafrir miṣrayim: ha-hanhaga ha-yehudit be-Fusṭaṭ ba-mahaṣit ha-rishona shel ha-meʾa ha-aḥat-ʿesreh* (Jewish Leadership in Fustat) (Tel Aviv, 1995) (English translation, minus the documents, *Fustat on the Nile: The Jewish Elite in Medieval Egypt* [Leiden, 1999]) and her *Yehudei miṣrayim 1007–1055* (The Jews of Egypt: 1007–1055: Based on Documents from the "Archive" of Efraim ben Shemarya) (Jerusalem, 1995). My *Jewish Self-Government in Medieval Egypt* (Princeton, 1980) has a database of 306 texts. Even subtracting the approximately 175 documents on poverty and charity previously published in one of the above books or in articles, the number of texts in the corpus underlying the present study is appreciable.

[26] See *Med. Soc.*, 5:92–93.

Series, volume 77. Among these I identified some twenty-five pieces relevant to the present research. Many of them measure only a few centimeters in each dimension, but, even so, they contain valuable new information. In one case, a fragment was found to join with a ripped Judaeo-Arabic letter in the "old series," published by another scholar in 1995.[27]

In short, the methodological caveats for using the Geniza documents are many and resemble those facing scholars who use Greek and Latin papyri to reconstruct the late antique history of Egypt.[28] On the other hand, especially in the case of the letters appealing for private assistance, the Geniza preserves material that would never have found its way into a proper archive or been mentioned in a medieval historical chronicle. This compensates in large part for the limitations of the material and constitutes an advantage over the sources available to historians of medieval Christendom and Islam and other periods of premodern Jewish history.[29]

Moreover, even if the letters and lists yield only partial data about the statistics of poverty and charity, they nonetheless reflect trends. One of these is that poverty constituted a substantial social problem. Extrapolating from a cluster of lists dating around 1150, Goitein felt comfortable estimating that one quarter of the Rabbanite Jewish population of Fustat, totaling about 3,300 souls, was in dire enough straits to collect alms from the communal dole at the time. He estimated the same proportion held true about eighty years later.[30] This may be compared with other periods for which estimates exist, for instance, Paul Slack's calculation for urban centers in late sixteenth- and early seventeenth-century England, ranging from 5 percent (the "background level" of constant, chronic poverty) to 20 percent (the potential "crisis level" of the poor)—to be distinguished from the undeserving and hard-to-quantify category of begging and sometimes thieving or otherwise criminal vagrants and vagabonds, the "dangerous poor."[31] Or one can measure Goitein's estimate against the approximation of 20 percent of the native or long-term resident

[27] ENA 2804.5, ed. Elinoar Bareket, *Yehudei miṣrayim*, 99–101. The newly discovered fragment is ENA NS 77.200. The "join" was suggested by Seminary library staff member Yevgeniya Dizenko on June 22, 2000, and verified by the present writer.

[28] See, for instance, Roger S. Bagnall, *Egypt in Late Antiquity* (Princeton, 1993), 4–13.

[29] Letters of the Christian poor are hardly extant for the Middle Ages. Regarding poor lists mentioned in a Christian literary source but not extant, see Peter Brown, *Poverty and Leadership*, 60, and on the so-called *matricula*, ibid., 65. Many accounts and lists of names are found among the fifth-century BCE. Aramaic Jewish papyri from Elephantine in Upper Egypt, but their intent is not indicated. Some of them might have been military lists or collection lists (for the local Temple?) or ration lists (for members of the military colony, not for the poor). See *Textbook of Aramaic Documents from Ancient Egypt*, ed. and trans. Bezalel Porten and Ada Aharoni, vol. 3 (Winona Lake, Indiana, 1993), 73–281, esp. p. 271.

[30] *Med. Soc.*, 2:139–42.

[31] Slack, *Poverty and Policy in Tudor and Stuart England*, 72.

population receiving some form of institutional charity in old regime Aix-en-Provence.[32] Two other comparisons are with the rough estimate of 12.5 percent of the population of England on relief in 1802 (17 percent in the agricultural county of Essex) and the extreme case of rampant Jewish poverty in the Ottoman Empire in the seventeenth century—as much as 50–75 percent.[33]

One should not, by the way, discount the sheer volume of letters by or on behalf of the poor—most of them seeking private charity, hence additional to the ones in Goitein's calculation based on lists—by saying that the Geniza people only wrote in times of distress and that we are getting a skewed picture from our sources of the economic condition of the community. There are plenty of routine Geniza letters testifying to the prosperity, great and moderate, of individuals and groups. Poverty as represented in the Geniza documents, graphically and to a certain extent statistically, was not an exceptional phenomenon. That, if nothing else (and there is much else), makes the present study both necessary and worthwhile.

The Voices of the Poor

The epistolary appeals for charity, alms registers, and other official documents presented in this study depict the actual voices of the poor. It thereby answers a lament heard from papyrologists, premodern Europeanists, and Islamicists alike in their work on poverty and charity. Roger Bagnall notifies readers of his lavishly detailed study *Egypt in Late Antiquity* that "almost all [of the Greek papyrological evidence] comes from the viewpoint of the propertied classes of the cities of Egypt," and that the Coptic papyri from everyday life, which do not become common until long after the Council of Chalcedon (451), emanate largely from the Christian monasteries. "[T]his too is not the viewpoint of the poor."[34] The situation does not improve for the period after late antiquity. Historians of poverty in medieval and early modern Europe have noted with regret that the materials at their disposal do not include the voices of the indigent masses. Assessing, for instance, "the complex attitudes and responses that poverty evoked" in medieval Europe, Michel Mollat—to cite one example from among many—laments that the evidence available to him "generally exhibits only one point of view, that of the non-poor casting

[32] Cissie C. Fairchilds, *Poverty and Charity in Aix-en-Provence, 1640–1789* (Baltimore, 1976), 75.
[33] Thomas Sokoll, ed., *Essex Pauper Letters, 1731–1837* (Oxford, 2001), 28. Yaron Ben-Naeh, "Poverty, Paupers, and Poor Relief in Ottoman Jewish Society" (Hebrew), *Sefunot* 23 (2003), 197.
[34] Bagnall, *Egypt in Late Antiquity*, 5.

their gaze upon the poor."[35] Other European historians express similar regret.[36] Carlo Ginzburg reminds us that this is a general problem when writing about the non-elites in the European past.[37]

Things are no better for the world of Islam. "Given the absence of sources for statements by the poor," laments Adam A. Sabra, author of a pioneering book on poverty and charity in Mamluk Cairo, "the ideal task of determining how the poor saw their own fate is next to impossible."[38] In his masterful bibliographical survey of Middle Eastern historical studies, Stephen Humphreys sums up the methodological obstacle with regard to the peasantry as whole (who were not all poor) under the rubric "The Voiceless Classes of Islamic Society."[39] The tiny handful of letters from or on behalf of needy persons thus far discovered among the Arabic papyri from Egypt and among the so-called archive (probably an Islamic geniza) of a thirteenth-century Muslim merchant from the

[35] Mollat, *The Poor in the Middle Ages*, 2.

[36] In her study of poverty in medieval Cambridge, Miri Rubin writes, "we are usually much better informed about the identity of the giver, the founder, donor or testator, than we are about the recipients." *Charity and Community in Medieval Cambridge* (Cambridge, 1987), 6. Sharon Farmer notes the same deficiency in *Surviving Poverty in Medieval Paris: Gender, Ideology and the Daily Lives of the Poor* (Ithaca and London, 2002), 3–4: "Historians who have focused on the actions and perspectives of propertied members of medieval society have produced numerous studies of hospitals and hospices . . . of charitable almsgiving in urban wills; of the attitudes toward the poor. Occasionally, but not often, studies of hospitals and confraternal charity offer a profile of the recipients of such charity, but the sources left behind by medieval hospitals and confraternities *reveal almost nothing about their daily lives*" (emphasis added). Her book seeks partially to make up for this deficiency with evidence from "testimonies" of poor people claiming to have received a miraculous cure at the shrine of St. Louis. Writing about charity and poor relief in Renaissance Italy, Brian Pullan notes: "The voice of the poor can generally be heard only through records and observations compiled by their literate social superiors, from the tax-collector to the inquisitor's clerk, and from the judge of criminals to the benefactor of the helpless." "Support and Redeem: Charity and Poor Relief in Italian Cities from the Fourteenth to the Seventeenth Century," *Continuity and Change* 3 (1988), 179. In her study of poverty and welfare in Habsburg Toledo, Linda Martz begins her chapter on the "recipients of relief" with a confession: "The bulk of the extant records have to do with the finances of charitable institutions or with the individual who was wealthy enough to make a last will and testament, while the recipients of poor relief remain colourless and vaguely defined individuals in among the mass of humanity known as the poor." *Poverty and Welfare in Habsburg Spain: The Example of Toledo* (Cambridge, 1983), 200. Paul Slack, *Poverty and Policy in Tudor and Stuart England*, notes (p. 7): "The sources seldom allow the poor to speak for themselves."

[37] Carlo Ginzburg, *The Cheese and the Worms*, trans. John and Anne Tedeschi (Baltimore, 1980), xv: "[T]he thoughts, the beliefs, and the aspirations of the peasants and artisans of the past reach us (if and when they do) almost always through distorting viewpoints and intermediaries."

[38] Sabra, *Poverty and Charity in Medieval Islam*, 8.

[39] R. Stephen Humphreys, *Islamic History: A Framework for Inquiry*, rev. ed. (Princeton, 1991), 284–308.

Red Sea port of Quseir al-Qadīm bear significant similarities to the Judaeo-Arabic letters from the Geniza. Hopefully the numbers of such letters will multiply as research on the Arabic papyri and letters on paper proliferates.[40] Similar progress can be expected for European history thanks to research on recently discovered "pauper letters" from England during the early Industrial Revolution and in continental Europe—an enterprise consciously aimed at making up for the dearth of this sort of source material for European social history.[41]

[40] Li Guo, "Arabic Documents from the Red Sea Port of Quseir in the Seventh/Thirteenth Century, Part 1: Business Letters," *Journal of Near Eastern Studies* 58 (1999), 186–90. The relevant letter as I understand it is a petition from a needy person seeking assistance for himself and his family. See my discussion of these documents in the context of "Islamic Geniza" in my "Jewish and Islamic Life in the Middle Ages: Through the Window of the Cairo Geniza," forthcoming in a volume on Jewish-Islamic creative coexistience in the Middle Ages, edited by Joseph Montville, and "Geniza for Islamicists, Islamic Geniza, and the 'New Cairo Geniza,'" lecture at Harvard University's Center for Middle Eastern Studies February 2004, to be published in *Harvard Middle Eastern and Islamic Review*. Other examples: Yūsuf Rāġib, *Marchands d'étoffes du Fayyoum au IIIe/IXe siècle d'après leurs archives (actes et lettres), II. La correspondance administrative et privée des Banū ʿAbd al-Muʾmin* (Cairo, 1985), 44–46; Werner Diem, *Arabische Briefe auf Papyrus und Papier aus der Heidelberger Papyrus-Sammlung. Textband* (Wiesbaden, 1991), 212–15 (twelfth century) (it is not certain that the recommendee of this letter was in financial need; he is a foreigner, being introduced to a dignitary, who is asked to "help him"), 227 (ninth-century appeal for assistance, *laysa bi-yadī nafaq[a]*, "I have no sustenanc[e]"), 277 (eleventh-century letter of appeal by the writer to fulfill a promise to give a gift for the writer's wedding, *fa-in tafaḍḍala sayyidī wa-mawlāyā an yaʾmur . . . bi-qalīl qamḥ mā amkana ḥattā yakūn nafaqatan*, "please be so kind as to order . . . (for me) a little wheat, insofar as is possible, for my sustenance," and idem, *Arabische Privatbriefe des 9. bis 15. Jarhunderts aus der Österreichischen Nationalbibliothek in Wien. Textband* (Wiesbaden, 1996), 183–84 (thirteenth-century or later letter of appeal for clothing).

[41] Acknowledging the lacuna for England, a recent collection of essays attempts to find and exploit "the words of the poor" fortuitously preserved in parish records and so write the history of poverty "from below." *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640–1840*, ed. Tim Hitchcock, Peter King, and Pamela Sharpe (New York, 1997). See esp. the editors' introduction and the essays by Pamela Sharpe, "'The Bowels of Compation': A Labouring Family and the Law, c. 1790–1834"; James Stephen Taylor, "Voices in the Crowd: The Kirkby Lonsdale Township Letters, 1809–36"; Thomas Sokoll, "Old Age in Poverty: The Record of Essex Pauper Letters, 1780–1834." See also Pamela Sharpe, "Survival Strategies and Stories: Poor Widows and Widowers in Early Industrial England," in *Widowhood in Medieval and Early Modern Europe*, ed. Sandra Cavallo and Lyndan Warner (Essex, 1999), 220–39. Also see Thomas Sokoll, "Negotiating a Living: Essex Pauper Letters from London, 1800–1834," *International Review of Social History* 45, supplement 8 (2000), 19–46; his abovementioned collection, *Essex Pauper Letters*; the collection of letters, petitions, examinations, and depositions regarding the poor sojourning outside their parish of settlement at the end of the eighteenth and the beginning of the nineteenth centuries, James Stephen Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives* (Palo Alto, 1989). The same goal of writing history from below underlies a publication containing letters and appeals from "the common folk" in nineteenth-century Germany. Siegfried Grosse et al., eds., "*Denn das Schrieben gehört*

Despite the advantages of Geniza letters in accessing the voices of the poor, these voices are not always unmediated. Many of the personal letters of appeal, especially those of the women, may not actually have been written by the indigents themselves, but rather by a professional scribe, a friend, or a family member. Moreover, most of the letters of the poor contain stereotyped phrases that raise suspicions about exaggeration in the name of expediting relief and hinder our ability to decipher each case in all its specificity. Nonetheless, the voices of the poor are still audible above the cacophony of cliches and repetitions, which do not detract from the value of the letters as witnesses to social history. Moreover, the rhetoric in and of itself reflects "facts" about the mentality of the poor and the expectations of their would-be benefactors.

In this regard, it is useful to recall the comments of Thomas Sokoll about credibility in his study of "pauper letters" from England during the Industrial Revolution, which are applicable to our case: "It is obvious . . . that in interpreting a pauper letter we have to watch out for stereotypes, exaggerations or even literary make-ups which must not be taken literally. And yet, despite this, we may normally still regard it as a true record of the specific circumstances of an individual case, providing that the account is not grossly inconsistent or unlikely."[42] Sokoll reminds us, too, that the definition of "author" or "writer" in premodern societies without universal literacy, and even in eighteenth- and early nineteenth-century England, was not sharp. "In the context of the social history of language, terms like 'author,' 'writer,' or 'scribe' are insufficient and inappropriate if understood in their conventional sense. . . . The power of writing is not confined to those who themselves were able to write. It also applies to any one who *had* a piece being written in a given place at a given time."[43] The same is true in medieval Egypt, and these blurred distinctions between author and writer temper the methodological difficulties inherent in trying to discern the "direct testimony" of the poor, to use Gertrude Himmelfarb's words.[44] Moreover, letters that other people wrote on behalf of the needy provide important, complementary information about their experience of poverty, "in that they show to what extent certain attitudes, images and beliefs were shared across social groups, thus providing important insights into the social range of contemporary notions

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nicht zu meiner täglichen Beschäftigung": Der Alltag kleiner Leute in Bittschriften, Briefen und Berichten aus dem 19. Jahrhundert: Ein Lesebuch (Bonn, 1989).

[42] Thomas Sokoll, "Old Age in Poverty," 131; idem, *Essex Pauper Letters*, 67–70.

[43] Sokoll, "Old Age in Poverty," 133–134; idem, *Essex Pauper Letters,* 62–67.

[44] *The Idea of Poverty: England in the Early Industrial Age* (New York, 1984), 14: "There is one kind of source the historian would dearly love to have: the direct testimony of the poor themselves. . . . What we do have, by way of working class sources, are documents more often addressed to the working class than originating with them."

such as the nature of poverty."[45] Comparison between the Geniza letters and the "pauper letters," as we shall see at many points in this book, shows that many attitudes, images, and beliefs were shared also across time and across religions.

There is, however, an important difference here that makes the Geniza letters almost unique. The "pauper letters" from England and from other places, while originating from the poor, are "official" pieces of writing—appeals to parish overseers of charity by or on behalf of indigents living in another parish, seeking nonresident or "out-township" relief. By contrast, most of the Geniza letters are addressed primarily to private individuals. This makes them doubly precious insofar as they concern the elusive realm of *private* charity. Additionally, the Geniza letters stem from a religious age, and so religious sentiments permeate their lines. The pauper letters are striking in the absence of religious content. This does not mean that the indigents of late eighteenth- and early nineteenth-century England lacked religious feeling. It means that the medieval people—poor and benefactor alike—lived and breathed religion in a much more fundamental way and believed that charity, as much a duty toward God as toward one's fellow man, made a difference to the Creator. English paupers knew that the handouts they requested were part of a legislated, mandatory, "secular" system—no longer part of a calculus of giving that could bring salvation to the donor. Promising to pray to God on behalf of poor law administrators charged by civil law to send them charity would have sounded a bit out of place.[46]

One final note. Though our Geniza letters—like the English pauper letters—show a certain amount of formulaic repetitiousness at the edges, as the writers or those writing down their stories shaped the narrative to get results, the central, factual core of their stories is believable enough. The kinds of fictional embellishments peppering the fascinating "pardon tales" in Natalie Zemon Davis's *Fiction in the Archives* are largely absent.[47] The Geniza paupers, like Davis's characters, were certainly motivated by concern for their future and that of their families, but the stakes were lower. Davis's sixteenth-century French murderers claimed extenu-

[45] Sokoll, "Old Age in Poverty," 135. James Stephen Taylor, writing in the same collection about pauper letters addressed to the township of Kirkby Lonsdale, states: "Even if it were the pen of a neighbour or family member, writing out of charity or for a pittance, the voice would not be markedly altered, except in an obvious case." Taylor, "Voices in the Crowd," 116.

[46] In a very rare exception, a widow closes her letter of appeal to a parish poor law administrator: "I hope God will bless You for doing good for the fatherless & Widow." Sokoll, *Essex Pauper Letters*, 519, and again on the same page, a similar blessing by the same widow writing another letter to the same official.

[47] *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, 1987).

ating circumstances before the authorities in order to save their lives. The plight of the Jewish poor of the Geniza could be assuaged by a simple gift of some cash, food, or an article of clothing. And even when they had an interesting "story" to tell explaining their indigence, they had less need to invent fictitious events to "win their case." Even in rare instances in our material, such as the saga of the impoverished widow of the cantor Ben Naḥman, whose dire and gripping tale of woe includes physical violence perpetrated against her, the facts of her case seem credible enough. With these letters at hand, therefore, we are able to study the actual lived experience of the poor as well as the strategies they employed to survive in the absence of a well-organized state poor-law mechanism and to avail themselves of the "entitlement" afforded them by the Jewish miṣva to give charity.[48]

The Jewish Community

Medieval Jews addressed the problem of poverty both as individuals and within the context of a particular communal structure. The Jewish community in the Islamic world, like that of the Oriental Christians, formed an autonomous entity. The government recognized the community as self-governing and "protected" by Islamic holy law, and granted letters of appointment to its leaders. Jews and Christians were defined as *ahl al-dhimma*, "protected people" (*dhimmīs* for short), enjoying religious and personal freedom in exchange for an annual poll tax payment and for assuming a humble religious and social posture vis-à-vis Muslims and Islam. The practice of permitting the Jews to have religious and communal autonomy—to live by their ancestral laws—continued the custom of Near Eastern regimes in their relationship to the Jews for about a millennium before the advent of Islam.

The leadership of the Jewish community of Egypt shifted around the middle of the Fatimid period. Originally, at the time of the Fatimid conquest of Egypt (in 969) and Palestine-Syria (in 975), the caliph recognized the *gaon*, or head of the yeshiva of Palestine, as head of the Jews in the empire. In the final third of the eleventh century, the central administration of Fatimid Jewry shifted from Jerusalem to Old Cairo with the inauguration of the office of "head of the Jews." In addition to his official Arabic title, *ra'īs al-yahūd*, this dignitary usually also had a Hebrew

[48] On the usefulness of the concept of "strategies" in the analysis of letters of the poor, see Sharpe, "Survival Strategies and Stories," 230–32; Sokoll, "Negotiating a Living," 42–46. The caveats Sharpe raises, based on Davis's *Fiction in the Archives*, are, as stated, less applicable to our case.

designation, which varied until it became standardized as *nagid* at the beginning of the thirteenth century.

This change in communal leadership resulted from internal politics of the yeshiva, on the one hand, and external events, especially the conquest of Palestine by the Seljuk Turks in 1071 and later by the Crusaders in 1099, on the other. The Fatimid policy of moving the Coptic Patriarchate of Alexandria to Cairo around 1070 and centralizing its power there also seems to have contributed to the transfer of the seat of Jewish self-government from Jerusalem to Old Cairo. This shift, gradual rather than sudden, was supported by local Jewish leaders in Fustat, most of whom were immigrants from Palestine, Tunisia, and points farther west. Among them were scholars of considerable stature, whose "presence doubtless instilled in the Egyptian community the kind of social and intellectual self-confidence it needed to strike out on its own."[49]

The head of the Jews inherited the prerogatives of the head of the Palestinian yeshiva. His duties included centrally administrating Jewish affairs, appointing judges in local communities and in the capital, responding to appeals from people dissatisfied with decisions of local Jewish courts, enforcing obedience to Jewish law and regulating religious life, making peace in cases of communal dissension, and protecting the weak, including the poor. He also interceded with the Muslim government on behalf of the Jews, a role that had been played by Jewish courtiers in Cairo even when the head of the yeshiva in Jerusalem held the government patent as head of the Jews in the empire.[50]

The fundamental cell of Jewish public life was the local community. It was led by a person selected by the head of the Jews and before him by the head of the yeshiva. Like the head of the Jews, he received a letter of appointment from the government. In the early period, this local leader

[49] Cohen, *Jewish Self-Government*. The quotation is from the Conclusion, p. 289. The new-old hypothesis of Shulamit Sela (presented in a pair of articles, "The Head of the Rabbanite, Karaite, and Samaritan Jews: On the History of a Title," *Bulletin of the School of Oriental and African Studies* 57 [1995], 255–67 and "The Headship of the Jews in the Fāṭimid Empire in Karaite Hands" (Hebrew), in *Mas'at Moshe: Studies in Jewish and Islamic Culture Presented to Moshe Gil*, ed. Ezra Fleischer, Mordechai A. Friedman, and Joel A. Kraemer [Jerusalem and Tel-Aviv, 1998, 256–81], seeking to antedate the origins of the office of head of the Jews to the first half of the eleventh century and possibly to the Fatimid conquest in 969 and featuring Karaite holders of the office, has not found much acceptance, beyond Elinoar Bareket, for instance, in her "The Headship of the Jews in Egypt under the Fatimids" (Hebrew), *Zmanim* 64 (1998), 34–43, and in her book *Shafrir miṣrayim* (English version: *Fustat on the Nile*; see my review of the Hebrew edition in *Jewish History* 12, no. 1 [1998], 137–140). The Sela thesis has been convincingly refuted in the dissertation of Marina Rustow, "Rabbanite-Karaite Relations in Fatimid Egypt and Syria: A Study Based on Documents from the Cairo Geniza" (PhD diss., Columbia University, 2004), chapter 5.

[50] Cohen, *Jewish Self-Government*.

usually bore the Hebrew title of *ḥaver,* or "member (of the yeshiva)," a scholarly "degree" granted to scholars by the yeshiva of Palestine. By the beginning of the twelfth century, the standard title for local communal executive was the Arabic term *muqaddam*, "one put at the head." The local executive supervised religious and communal activities and usually functioned as judge of the Jewish court (and as such was also called *dayyan*). This shift in title was connected with the establishment of the Egyptian office of head of the Jews.

In Fustat, as well as in other large communities in Egypt and elsewhere, there were two synagogues for the Rabbanites, who represented the traditional Judaism of the Talmud. One of the congregations incorporated the customs of Babylonia, and the other, and larger, synagogue, retained some of the rites of Palestinian Judaism. Both, however, subscribed by the eleventh century to the law of the Babylonian Talmud and, as far as we can tell, one religious court represented them all. The Karaites, a schismatic group that rejected the Talmud, had their own synagogue with very different rites. The Karaites and Rabbanites, together, formed a unified community.

Elders, cantors, synagogue beadles, judges, court scribes, kosher meat slaughterers, kashrut supervisors, schoolmasters, *parnasim*, and others comprised the rest of the functionaries of the local community, and there was often overlap of functions among them. The communal official that concerns us most in the present study was the *parnas*. A layman, he served as social welfare official and his duties also included supervision of communal properties, mainly pious foundations, whose income was used for communal expenses. He collected donations for the communal dole and distributed alms to the needy. From about the middle of the twelfth century on, the role of social service official seems to have been taken over by the local judge.

As we shall claim, the charitable enterprise supported Jewish solidarity and acted as one of the major agglutinates of Jewish communal life in the medieval Islamic world.

Law, Religion, and Reality

It follows from what has just been said about Jewish administrative and legal autonomy that a study such as this must pay attention to Jewish law, or *halakha*. Halakha reflects the normative ideal: how poverty was viewed in principle and how charity was supposed to be dispensed. The Geniza portrays the reality: how poverty was viewed and how charity was implemented "on the ground." Ideas of poverty and charity—the thinking behind the practice—surface in our study from time to time in

the main chapters and come in for focused attention in the Conclusion, after the documentary evidence of the lived experience of the poor and of the charitable has been presented.

Turning now to the halakha, one tractacte of the Mishna, Tractate Pe'a, treats the agricultural laws of charity in some detail,[51] as does its commentary in the Palestinian Talmud. As these laws pertain only to the Holy Land, there is no Tractate Pe'a in the Babylonian Talmud. The Mishna and its elaboration in the Babylonian Talmud have relatively little to say about charity in an urban context, in part because ancient rabbinic law in general includes very little of what we would call public law.

What exists in the Talmud about urban charity, indeed about charity in general, is therefore interspersed associatively in discussions of other matters. The longest and most interesting section in the Babylonian Talmud focusing on charity is found in the first chapter of Bava Batra, Ha-Shutafin ("Partners").[52] But even here, the discussion is incidental to other matters. It begins with a mishnaic statement, one of the rare expressions of Jewish public law in that code: "How long must a man reside in a town to be counted as one of the townsmen?" This triggers a question based on a ruling about how long a man must reside in a town to be considered responsible for contributing to charity. This, in turn, leads to a protracted and diverse discussion about the poor and poor relief, using laws and rabbinic exempla (serving as legal precedents) concerning such topics as orphans, the ransom of captives, the administration of the charity fund, examination of the deservedness of claimants for assistance, begging, and the maximum amount of charity allowed to the giver.

Maimonides collected for the first time all the scattered laws of charity found in the Bible and in postbiblical literature into one section of his massive legal code, the Mishneh Torah (completed circa 1178).[53] Both as a private person and in his capacity as head of the Jewish communities of the Fatimid Empire from circa 1171–77 and again circa 1195 until his death in 1204, Maimonides dealt extensively with social welfare. Thanks

[51] See Roger Brooks, *Support for the Poor in the Mishnaic Law of Agriculture, Tractate Peah* (Chico, 1983).

[52] Bava Batra, folios 8a–11a.

[53] A new treatment of Maimonides' laws of charity recently appeared, with a new English translation. It does not refer to the Geniza material on charity. Joeph B. Meszler, *Gifts for the Poor: Moses Maimonides' Treatise on Tzedakah*, ed. by Marc Lee Raphael (Williamsbugh, VA, 2003). Jacob b. Asher (d. 1340) states in his law code, Arbaʿa Ṭurim, Yoreh Deʿa, #247, that his own sources for the laws of charity are what "I found written in the name of R. Saadya (b. Joseph, Gaon, or head of the yeshiva of Sura in Baghdad, d. 942) and from the words of Maimonides and a few other opinions." If Saadya compiled a separate compendium of the laws of charity (as he did for the laws of inheritance), it has not yet, to the best of my knowledge and that of my informants in this matter, surfaced—for instance, among the halakhic fragments in the Geniza.

to the detailed and intimate picture of attitudes about poverty and the practice of charity in the Jewish communities of the Mediterranean (especially Egypt) during the Islamic high Middle Ages that emerges from the Geniza documents, we are able to form some judgments about the relationship between halakha, as represented in Maimonides' Code, and reality, between normative precept and actual practice, in this important domain of Jewish life.

Such a comparison is not possible for most periods of premodern Jewish history, even when using responsa (rabbinic questions and answers), for these often omit large parts of the "question," wherein reside the kinds of information about everyday life that the Geniza documents describe so eloquently. We shall have many opportunities to examine Maimonides' Code in the light of the Geniza findings, and vice versa, in the course of this book, and to see how nuances in the Code can be understood in the light of the realia depicted in the documents. The imprint of local practice as reflected in the Geniza documents upon the Code represents an aspect of originality in that work that has not been well recognized.[54]

What the Sources Tell Us

A sentence in a rabbinic homily reflecting a widespread Jewish notion about charity, quoted in several Geniza letters, states: "The giver should give thanks that he is one of the givers and not one of the takers."[55] This was an ideal, reflecting the grim reality that many members of society were takers. Another sentence from ancient wisdom comes from the Deuteronomist, who said, "There will never cease to be needy ones in your land, which is why I command you: open your hand to the poor and needy kinsman in your land" (Deuteronomy 15:11). The sources at our

[54] On originality in the Code, see Isadore Twersky, *Introduction to the Code of Maimonides* (Mishneh Torah) (New Haven, 1980), 49–61 and passim. He notes, for instance, the presence of "original interpretation and integration" especially in the Book of Seeds, which includes the laws of charity; ibid, 266. Abraham Cronbach talks about aspects of originality represented by apparent deviations from rabbinic sources, some of which he suggests reflect current practice in Maimonides' time. Cronbach, "The Maimonidean Code of Benevolence," *Hebrew Union College Annual* 20 (1947), 471–540. Gideon Libson's recent research on comparative Jewish and Islamic law suggests, among other things, that some seemingly original features in Maimonides' Code could be explained by the influence of Islamic law. "Parallels between Maimonides and Islamic Law," in *The Thought of Maimonides: Philosophical and Legal Studies*, ed. Ira Robinson et al. (Lewiston, NY, 1980), 209–48. My contribution is to show that many original features and even deviations from rabbinic prescription in the laws of charity can be explained with the aid of evidence from everyday life from the Geniza.

[55] Midrash Zuṭa, Shir ha-Shirim, ed. Buber (Berlin, 1894), 20 (par. 1:15).

disposal tell us much about both sides: about the poor and about those who opened their hands to give them charitable relief.

I begin (chapter 1) by examining the taxonomy of the poor in the Geniza through the lens of a theoretical construct. This, the dual concept of "conjuncture" and "structure," comes from the school of the French Annalistes and their followers. I show that the antinomy of structural versus conjunctural poverty reverberates in the documents of the Geniza. The former, in the form of chronic indigence, is especially reflected in the alms lists. The latter, seen most clearly in the letters, describes intermittent poverty, which struck the "working poor" as well as the well-off, and was accompanied, as in medieval Christendom, by shame. By posing at the very outset a comparison between poverty in medieval Christendom and Judaism, as evidenced in the Geniza, this chapter shows that the experience of Jews was similar to that of other peoples in history, and, in particular, that features historians have noted in other, better studied societies, can be attested also among this minority group. Certain perceptions of poverty repeatedly alluded to in the letters with special Arabic expressions turn out to have counterparts in Islamic society, as well, though their very existence in Islamic sources has hardly been recognized before. In short, chapter 1 shows the comparative interest this book has for a broad range of readers. The taxonomy of the poor also includes a description of class differentiation in the community, isolating the poor underclass from the nonpoor through a rough statistical analysis of data in the alms lists and donor registers.

Chapter 2 takes up the very large subject of "The Foreign Poor." Center of immense Mediterranean transhumance in the Islamic Middle Ages, Egypt and its most important inland city, Fustat—the city of the Geniza synagogue—in particular, encompassed a huge population of foreigners: wayfarers, temporary residents, and immigrants proper. How were the foreign poor treated? How was their deservedness for charity determined? The discussion in this chapter will resonate with historians of early modern Europe, when problems of vagabondage and itinerant begging seemed to many to threaten society and led to the tighter regulation of the indigent newcomer or stranger. The chapter closes with a brief comparison between the foreign poor in the Geniza community and the foreign poor in pagan antiquity, early Christianity, and medieval Islam.

A natural sequel to the subject matter of chapter 2, three related categories of indigent people occupy chapter 3. These are captives, refugees, and proselytes. The latter were for the most part newcomers from Christian lands who sought refuge in the Middle East, where they were accepted into the Jewish community and awarded the protection that the Islamic state proferred upon poll-tax-paying dhimmīs. How the heavy expense of redeeming captives and providing for them after their release,

as well as for refugees and proselytes, was managed by a community with limited resources is a fascinating, sometimes dramatic story. Redemption of captives was a significant problem for Muslims as well. Coreligionists kidnapped by brigands on the sea or by enemies like the Crusaders appeared regularly at the seaports of the Mediterranean to be redeemed by other Muslims.

Chapter 4 discusses debt, exploring what Michel Mollat, writing about the Christian poor in the Latin Middle Ages, called "the poisonous remedy for poverty." Here I examine, among other things, the abundant data about the annual poll tax "debt" and the impact it had on the Jewish poor. This is an important issue because during the Geniza period we find that the Islamic state (in Egypt) more or less ignored an early Islamic legal opinion exempting the indigent (as it did invalids, women, and the old) from the impost. Some have thought that the poll tax brought financial ruin to the Jewish population of medieval Egypt. That is doubtful, but the burden of the poll tax for the poor definitely taxed the resources of those better off, through private charity and through subsidies for the poll tax of the poor paid for in pledges to the community welfare treasury.

The next chapter (chapter 5), "Women and Poverty," introduces the abandoned wives, widows, and other women whose tales of woe reverberate in Geniza letters and, more silently, in the alms lists. Historians of gender will find some material of comparative interest in this chapter. Since in Jewish law children become "orphans" when they lose their fathers, this is also the place where I discuss impoverished, fatherless children, many of whom lived with their widowed mothers.

"'Naked and Starving,' the Sick and Disabled" is the title of chapter 6. The first half of this title takes its name from an ancient topos describing the poor that occurs regularly in the Geniza letters. Here, partially overlapping with themes touched upon in earlier chapters, the interrelated problems of deficient diet, inadequate clothing, and illness and infirmity are explored in their relationship to poverty. Illness and poverty are addressed together in some recent research, and this chapter contributes evidence from outside the precincts of western Europe, which, up to now, has dominated the discussion.[56]

The next chapter (chapter 7) is called "Beggars or Petitioners?" In it I examine the letters of appeal phenomenologically and pose the question: were the subjects of these missives beggars, in the technical sense of the word? This is how earlier scholars understood them. They compared their letters to the well-known "Schnorrerbriefe" that became common in central and eastern Europe after the middle of the seventeenth century,

[56] Peregrine Horden and Richard Smith, eds., *The Locus of Care: Families, Communities, Institutions and the Provision of Welfare since Antiquity* (London and New York, 1998).

when pogroms in Poland caused an increase in Jewish mendicancy and vagabondage. I offer a different interpretation of the social meaning and "life-setting" of these letters and of the mentality of the people who wrote them or on whose behalf they were composed. I do not see these suppliants as beggars in the sense of down-and-outs groveling from door to door. Rather, I view them as needy persons seeking private charity and attempting to preserve their dignity and limit their shame through use of the traditional patronage system of the Near East. They (or many of them) employed a vehicle—the Arabic petition—used regularly by members of society (Muslims and non-Muslims alike) to appeal to higher authorities for help when in distress.

If in the first seven chapters the poor are at the forefront and those who gave them succor lie in the background, chapter 8 puts the spotlight on the "givers." This long chapter deals first with private charity. As noted before, private charity, by its very nature, is an elusive subject for the Middle Ages, but the Geniza letters speak loudly about this domain. I also explore the role of the family in providing for the needy, the use of wills to make charitable gifts, and the absence of information about confraternities.

The second section of chapter 8, "Public Charity," examines the vast realm of what in the literature on charity in early modern England is called "outdoor relief." But by "public," as stated above, I do not mean the state, for the state did not generally provide charity for its non-Muslim subjects.[57] Nor does "public" connote compulsory giving, like the poor rates in England. Public here refers to the autonomous Jewish community. The Geniza data describe the yeoman efforts of communal officials at administering a voluntary charity that derived from the Jewish religious obligation to help the needy. The alms lists and donor lists form the most important sources of documentation here. I also explore the role of pious foundations, which, after being established through private bequests, became a source of revenue for public assistance, as well as communal provision of shelter for the needy. The poll tax, mentioned frequently as the bane of the poor, reappears here in the form of subsidization of the poll

[57] The Andalusi jurist Ibn Ḥazm (d. 1064) states, however, that a Muslim may give *private* charity (that is, money not dedicated to the Islamic poor tax, the *zakāt*) to feed or clothe the non-Muslim poor. Camilla Adang, "Ibn Ḥazm's Attitude toward the Jews" (Hebrew), *Peʿamim* 61 (Autumn, 1994), 43. There are also opinions in Islamic law that non-Muslims are eligible for charitable distributions from the poor tax as well as for money from the Muslim state treasury (*bayt al-māl*); Abdur Rahman I. Doi, *Non-Muslims under Shariaʿah* (*Islamic Law*), 3rd ed. (London,1983), 109–11. David Powers kindly showed me a passage from al-Wansharīsī's responsa (*fatwā*s) (15th century) stating that certain dhimmīs are eligible for distributions from *bayt al-māl*; *Al-miʿyar al-muʿrib waʾl-jāmiʿ al-mughrib*, ed. M. Ḥajjī (Rabat, 1981), 6:61–62.

tax of the needy. I also address the community's role in the care of orphans. Straddling the boundary between public and private charity are the pledge drives (called *pesiqa*) and the frequent circular appeals, especially for ransom of captives. Finally, though information is scanty, I also explore the related issues of hospices and medical care for the poor.

The final chapter (chapter 9) constitutes more than a summary of the book. It takes up the large theme, touched on only incidentally in the earlier chapters, of continuity and acculturation. How much are the ideas of poverty and practices of charity reflected in the Geniza the result of older concepts enshrined in biblical and talmudic literature and how much do they owe to the Islamic environment? This discussion affords the opportunity to describe in a more focused manner than elsewhere in the volume traditional Jewish ideas about the poor and poor relief that are to be found in the documents. The chapter attempts to address the problem of poverty and charity within the framework of diachronic and synchronic forces in Jewish history and suggests a different way of looking at these matters. Finally it addresses what is also implicit in earlier chapters: the question of community and the significance of charity as a factor, a very important factor, in reinforcing the bonds of communal solidarity in Jewish life in the premodern world.

Geographical and Chronological Scope

This book deals mainly with Egypt and only incidentally with other countries of the Mediterranean. Since the majority of the Geniza corpus—and this includes virtually all of the alms lists—pertains to Fustat, the community where the Geniza was located, most of what is said in this volume unless otherwise indicated relates to that important Jewish community. Not much hard information about poverty and charity is available for other parts of the Islamic world in this period. If we had an "Alexandrian Geniza," things might look somewhat different there. The few traces of evidence about poor relief in that community that made their way into the Geniza suggest some interesting contrasts, perhaps resulting from residual Palestinian traditions, but do not allow us to draw meaningful conclusions about whether charitable relief in that city took on a different form. I believe that, in fundamentals, Fustat cannot have been very much different from Alexandria and other sizable Jewish communities of the Mediterranean Islamic world.[58]

[58] The interesting observations about poverty and charity made by Miriam Frenkel in her dissertation, "The Jewish Community of Alexandria under the Fatimids and the Ayyubids: Portrait of a Leading Elite" (Hebrew) (PhD diss., The Hebrew University, 2001), esp. 288–93,

Chronologically, this book deals mainly with the Fatimid and Ayyubid periods, 969–1250, labeled by Goitein the "classical Geniza period," the period for which the greatest abundance of documentation exists. For reasons not fully explained, but probably having to do with a shift in the center of gravity of the Jewish population from Fustat to (New) Cairo after that time, the quantity of Geniza documents drops drastically in the Mamluk period, 1250–1517. It picks up again at the beginning of the sixteenth century, roughly coinciding with the arrival of the first wave of Spanish Jewish refugees from the expulsion from Spain in 1492 and with the Ottoman conquest of Egypt in 1517. Indeed, the Geniza contains material down to the end of the nineteenth century, when its contents were removed.

The period of the eleventh and twelfth centuries saw significant demographic growth in the Jewish community of Egypt, in part a consequence of migrations resulting from troubles Jews experienced elsewhere, whether in the Islamic world or in Europe (for instance, the Seljuk invasions in southwest Asia in the 1070s, the Crusade massacres in the German Rhineland in 1096, the Crusader conquest of Muslim Palestine in 1099, and the Almohad persecutions in Morocco and Islamic Spain in the 1140s). These two centuries were a time of more or less uniform economic prosperity and remarkable stability of prices and wages for Egypt.[59] Jews shared in this prosperity and benefited also from the relatively tolerant treatment accorded the non-Muslim minorities by the Islamic state. The persecution of non-Muslims in Egypt and Palestine by the "mad" caliph al-Ḥākim during the first two decades of the eleventh century was an exception proving the rule.

The documents reveal some development in the situation of the poor in Egypt during these two centuries, partly due to the influx of dislocated

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based on a few incidental references in Geniza letters, emphasize the role of the elite in taking care of the poor. This does not look substantially different from Fustat. On the other hand, in the absence of a local geniza she lacks alms lists and donor lists, which, for Fustat, give a much broader picture of both the poor themselves (only incidentally present in the Alexandria documents) and of communal participation in poor relief. For another Mediterranean community, see Menahem Ben-Sasson, *Ṣemiḥat ha-qehilla ha-yehudit be-arṣot ha-islam: Qayrawan, 800–1057* (The Emergence of the Local Jewish Community in the Muslim World: Qayrawan, 800–1057) (Jerusalem, 1996), esp. 181–86. As the author observes, the Geniza contains much information about contacts between the Maghrebis of Qayrawan (particularly the merchants among them) and other parts of the Islamic world, but their letters say very little about local institutions. The responsa literature and other rabbinic texts he uses have not much more to say on the subject.

[59] The stability of wages and prices, to which the Geniza itself attests, was documented both by E. Ashtor, "Quelques indications sur les revenus dans l'orient musulman au haut moyen âge," *Journal of the Economic and Social History of the Orient* 2 (1959), 262–80, and by Goitein, *Med. Soc.*, 1:94–96, 3:140.

and needy foreigners. But, apart from patches of famine and related miseries—for instance, the famine in the 1020s and the great famine of 1063–72, which have left their echoes of special deprivation in the Geniza—no drastic changes in the general well-being of the majority of the Jewish population is detectable before around 1200. Moreover, the system of social welfare in most of its details remained remarkably constant throughout the period.[60] As mentioned above, Goitein calculated that in the middle of the twelfth century, approximately one in four Rabbanite Jews was on the public dole, not an insignificant percentage. The Karaite community, much smaller, included a disproportion of very wealthy Jews, insofar as our sources permit us to judge. They had a separate synagogue and doubtless a separate geniza, which, had it survived, would have rendered a much fuller and more detailed picture of this subsection of the Jewish community. Nonetheless, relations between Karaites and Rabbanites were extremely cordial in Egypt, and so we learn much about them, including about some very wealthy Karaites with powerful positions at the Islamic court, from the Geniza of the Rabbanites. In addition, Rabbanite poor relief was completely "interdenominational."

A precipitous demographic decline in Egypt accompanied the devastating plague and famine of 1201–1202, which ushered in a period of increased economic hardship and is also reflected in the Geniza records. Moreover, by the beginning of the thirteenth century, a large number of Jews had transferred their residence from Fustat to the government capital in (New) Cairo. As is usual in such migrations, the ones left behind were generally the poorer segments of the population. Hints of the increasing impoverishment of the Jewish community of Fustat in the thirteenth century are detectable in the Geniza documents. By the fourteenth century, this impoverishment was in full swing. We see it clearly thanks to the lucky (and for the Geniza, rare) preservation of about twenty "decrees" regarding the poor from the office of the head of the Jews, Joshua Nagid b. Abraham (d. 1355), the great-great grandson of Maimonides. We will have cause to refer many times in this book to those letters as well as to others dating from the fourteenth century.[61]

Something should be said in closing about the early Ottoman period in Egypt, an era of economic upturn for the Jews as for the country in general. One scholar, Dr. Avraham David, has made it his mission to retrieve and edit the Geniza documents, most of which are in Hebrew, from the sixteenth and seventeenth centuries—the "late Geniza," as it is called. Goitein did not, as a rule, concern himself with this period and did not describe those documents in *A Mediterranean Society*. Though the "late

[60] *Med. Soc.*, 2:142, 5:238–41.
[61] See also part 3 in Cohen, *The Voice of the Poor in the Middle Ages*.

Geniza" texts have not been published in their entirety and are far fewer in number than the documents from the classical Geniza period, they are extremely interesting for the continuities in poor relief they reveal. Some further focused study of those documents, as of others from the Muslim-Jewish world of which I am aware, would illuminate the long-term picture quite nicely.[62]

[62] Dr. David kindly made available to me his unpublished transcriptions of letters dealing with the poor from the "late Geniza." Minna Rozen's book, *Ha-qehilla ha-yehudit bi-yerushalayim ba-me'a ha-17* (The Jewish Community of Jerusalem in the Seventeenth Century) (Tel Aviv, 1984), gives some interesting examples of letters concerning the poor and charity from a manuscript epistolographical formulary, e.g. pages 363–66, 443–45, 476–79, 517–19, 532–42, 546–58. Her more recent book, *A History of the Jewish Community in Istanbul: The Formative Years, 1453–1566* (Leiden, 2002), based mainly on responsa of the period, has practically nothing on charity in her chapter "Social Stratification: Wealth and Poverty." Several seventeenth- and eighteenth-century manuscript texts from Yemen kindly shown to me by Dr. Aharon Gimani, with his transcriptions, represent letters of appeal on behalf of the poor, more elaborate and prolix than those from the classical Geniza period, but containing many motifs and rhetorical strategies that are found in them, further illustrating the longue durée in the Middle East. Yaron Ben-Naeh has made a study of poverty in the Ottoman Empire from the mid–fifteenth to the beginning of the nineteenth century, using a wide variety of sources in an effort to get at the lived experience of the poor themselves. See his "Poverty, Paupers, and Poor Relief in Ottoman Jewish Society" (Hebrew), *Sefunot* 23 (2003), 195–238, and in English in *Revue des études juives* 163 (2004), 151–92.

Chapter One

A TAXONOMY OF THE POOR[1]

Theoretical Considerations

I am dispatching this letter to the most illustrious elders, may God preserve them, to inform them that the bearer of this (letter) is a man who was healthy, working strenuously in order to "conceal" (*li-yastura*)[2] himself and his family, when Fate betrayed him and he became weak (*ḍaʿīf al-ḥayil*),[3] such that anyone looking at him needs no explanation about his condition. In addition, debt (*gharāma*) and the poll tax (*jizya*) caught up with him. Whoever assists him with something with which he can maintain his way of life[4] shall be deemed to have made an offering (to God). He is ashamed (*mustaḥī*), for this has never been his habit. Whoever does him a good turn shall be deemed to have done so for the sake of God, and the Creator will magnify his reward. *And peace*.[5]

[1] The discussion in the following two sections represents an expansion of parts of my paper "Poverty as Reflected in the Cairo Geniza Documents," which originated as a lecture presented at the Seventh International Conference of the Society for Judaeo-Arabic Studies held at the University of Strasbourg in July 1995, and was presented subsequently, in different forms, at the University of California in Los Angeles (April 1997) and at the Middle East Studies Association Annual Meeting (San Francisco, November 1997). It will be published in the *Proceedings of the Seventh International Conference of the Society for Judaeo-Arabic Studies*, ed. Paul Fenton.

[2] A very important metaphor, to be discussed at length below, meaning to sustain one's family—"conceal" them—without having to resort to outside help, let alone the public dole.

[3] The word *ḍaʿīf* is used frequently for the poor in the Geniza letters, as in Saadya's translation of the Hebrew word *ʿani* in Deuteronomy 15:11: "Open your hand to your brother, the poor (*ḍaʿīfka*), and the needy (*miskīnka*) in your land." This recalls the *pauper/potens* dichotomy in the early Latin Middle Ages, according to which "the criterion of poverty was not material wealth or its lack, but rather power, privilege and social position" (Geremek, *Poverty: A History*, 21, 52; cf. Bosl, "Potens und Pauper"). But in our texts the "weak" means the poor in an economic sense, those who, lacking the capability (physical or emotional) to work, need charitable assistance, not, as in Bosl's analysis, those dependent upon the politically powerful.

[4] *Li-yaṣūna bihi madhhabahu*.

[5] *TS 13 J 20.20, lines 9–17. I am grateful to Professors Yehoshua Blau, Sasson Somekh, and Mordechai Friedman for their helpful comments on some difficult phrases in this passage at the conference mentioned in note 1.

> God, may His praise be exalted, commanded us to turn towards the common poor among us and to those from good families who have fallen from their wealth, in order to favor them and expend upon them blessing from the bounty of the Lord that He has given us, so that He will bless us in whatever we do.[6]

GENIZA LETTERS tell stories. This book will retell many of those stories, as we listen to the voices of the poor. The accounts are fascinating in and of themselves. But can any theoretical construct be applied to the narrative material? Can we find a meaningful analytic context to enrich our historical understanding of the texts and thereby develop a framework for what might otherwise seem to be inchoate anecdotal information?

A useful heuristic device in this regard is the distinction that European medievalists and early modernists, especially of the Annales school, like to draw between two general categories of indigence. One is "structural poverty." This pertains to those who live in permanent destitution, a "structural" state of deprivation in which, for one reason or another, such as ill health, physical disability, widowhood, or old age, they cannot find work or other dependable means of sustenance. Most beggars fall into this category, but it extends upward to include those in the early modern period who, unable to work, received alms on a regular basis from the emerging state apparatus for poor relief.

The other type encompasses those for whom poverty or need arises under specific, intermittent circumstances, the result of what the Annalistes call a "conjuncture."[7] Some of these people earn enough through their

[6] *TS 18 J 4.4, lines 13–15, ed. Alexander Scheiber, *Geniza Studies* (Hildesheim, 1981), Hebrew section, 79–81. I translate the phrase *u-le-hafiq lahem berakha mi-ṭuv ha-shem* "expend upon them blessing from the bounty of the Lord." I think the Hebrew verbal idiom here echoes a phrase associated in the Qur'ān and later Islamic literature with giving charity to the poor, e.g., in Sura 2:273, *wa-mā tunfiqū min khayr fa-inna allāh bihi ʿalīm*, "whatever you spend in good (meaning charity), surely God knows it well." The Hebrew verb *le-hafiq* is a derivative from the root *p-w-q*, an Aramaic form appearing in Aramaic also as *n-f-q* and meaning "bring, take out." It is cognate with Arabic *n-f-q*, a root appearing ubiquitously in the word *nafaqa*, "expenditure," especially in Islamic law, where it denotes maintenance payments for needy family members and also handouts to the poor. This term was known and used by the Jews, as attested in the Geniza (search *nafaqa* in the Princeton Geniza Browser, www.princeton.edu/~geniza).

[7] Mollat, *The Poor in the Middle Ages*, 26: "An inelegant but useful terminology distinguishes between 'structural' and 'conjunctural' poverty according as the primary cause of distress was institutional or circumstantial." See also the use of the distinction in Yannick Fouquet, *Pauvreté et assistance au XVIIe siècle: le cas exemplaire de Chambery* (Chambery, 1986),

labors to support their families—the "working poor," a class well known from early modern Europe but actually as old as the *penēs* of ancient Greece. Others derive income from property or commercial enterprises that provide for their daily needs and those of their dependents. Poverty in these cases results from a particular convergence of circumstances that changes their economic situation for the worse.[8] Sudden impoverishment, however temporary it might be, is also a source of shame. The "shamefaced poor," as they are called in medieval and early modern European texts, resist turning to others for help, let alone resorting to the embarrassment of the public dole or of beggary.[9]

The Geniza documents reveal the same taxonomy of structural and conjunctural poverty. Letters of appeal for private charity show that conjunctural poverty was common, so common, in fact, that popular conception actually distinguished the conjunctural from the chronic, or structural type of indigence. Finally, as in the Christian European case, conjunctural poverty was associated by Jews with shame.[10] To be sure, as we shall see, rabbinic sources from much earlier times allude to the plight of the conjunctural poor, but it is only with the Geniza that we are able to observe them in such detail as they manifested themselves "on the ground" and even to understand better their significance for the earlier period.

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49. "Those who do not have the strength to work or are incapable of working form the large batallions of structural poverty. Conjunctural poverty recruits from all social milieus." I prefer the original terminology of the Annalistes to the alternative "deep/shallow," which Paul Slack finds more suitable to England in the sixteenth and seventeenth centuries (*Poverty and Policy in Tudor and Stuart England*, 39 and passim) and which others have begun to adopt as well. While "deep poverty" describes the chronic nature of structural poverty and could be used as an equivalent term, "shallow poverty" fails to encompass the precipitous fall into temporary deprivation that often affected the well-to-do when struck by an unexpected crisis (conjuncture), nor does it adequately convey the self-perception of those of the working poor in my sources who prided themselves in their normal self-sufficiency (bare bones as it was) and wished not to be thought of as indigent. This latter sentiment, of course, may be specific to the case of Judaism, in which poverty was always considered a misfortune and never (or rarely) a virtue, as in Christianity or Sufi Islam.

[8] The conjuncturally poor, writes a historian of early modern France, are "those of the poor who could usually earn enough to subsist on, and who were therefore ordinarily found in the ranks of the respectable poor, but who, because they never could earn enough to accumulate a backlog of savings, could be plunged by sudden crisis into the ranks of the destitute." Cissie Fairchilds, *Poverty and Charity in Aix-en-Provence, 1640–1789*, 73, summarizing the distinction between structural and conjunctural poverty made by Jean-Pierre Gutton in *La societé et les pauvres: L'example de la generalité de Lyon, 1534–1789* (Paris, 1971).

[9] Geremek, *Poverty: A History*, 39, 60.

[10] As I shall argue below, I refer here to a concept of "shame" that is somewhat different from the theme of embarrassment that Goitein identifies in some Geniza letters.

Conjuncture and Structure

I take as my point of departure the first text quoted at the beginning of this chapter. It forms the opening section—just eight and a half lines long—of a Judaeo-Arabic letter. Using "thick description" and adducing other Geniza documents along the way, I extrapolate from this text in order to illustrate how the concepts of conjuncture and shame, and indirectly the counterconcept of structural poverty, are manifested in the Geniza letters about the poor.

The main purpose of the letter in question (I shall call it "the Qalyūb letter") is to invite the writer's relatives in Qalyūb, a town near Fustat, to attend a family celebration at the upcoming holiday time. That part of the letter is discussed by Goitein.[11] As so often happened, the writer entrusted delivery of the letter to someone who was needy. At the beginning of the letter, as if to compensate the man for delivering it (a kind of charity in and of itself), the writer relates the letter-bearer's tale of woe and asks his relatives in Qalyūb to help the man out. This preface of eight and a half lines is clearly set apart from the rest, and main part of the letter, by the characteristic Hebrew expression *ve-shalom*, "and peace," found regularly at the ends of letters. Like the writer's relatives perhaps a thousand years ago, we learn that the normally self-sufficient letter-bearer had experienced a sudden, unhappy turn of fortune—a conjuncture, we would say—that had thrust him into poverty and compelled him to take to the road in search of charity.

The predicament of this man, usually able to sustain himself and his dependents but suddenly impoverished, was quite common. This can be illustrated from a few other representative letters. The illustrious Spanish Hebrew poet Judah ha-Levi, who passed through Egypt in 1140–41 on his way to the Holy Land and left fascinating traces in correspondence that ended up in the Geniza, commends a man for charitable assistance. He was delivering the poet's letter to ha-Levi's Egyptian friend, the wealthy merchant Ḥalfon b. Nethanel. Ha-Levi describes the unfortunate man as one "who had been well off and now is the opposite; moreover, he suffers from poor health and eyesight, and is far from family and homeland."[12] The writer of the second letter quoted in the epigraph to this chapter, Nathan ha-Kohen b. Mevorakh, dayyan in Ascalon, Palestine, at the end of the eleventh century, tells the addressee, Eli b. Yaḥyā the parnas, in Fustat, about the needy letter-bearer, Solomon b. Benjamin, who was from a "good family" and had suddenly become indigent. Going on, he writes:

[11] *Med. Soc.*, 3:55, 438; 5:15n28.
[12] TS 10 J 15.1, lines 8–9, ed. Goitein, *Tarbiz* 25 (1955–56), 405–406.

> He is a good and deserving man (*hagun*), crowned with humility, a modest person, from a good family (*mi-benei avot*) of noteworthy householders whose table was always set and whose houses were always wide-open. However, on account of the many troubles that befell them they fell from their wealth, became poor (*niddaldelu mi-nikhseihem u-maṭṭa yadam*) and were forced to turn in their need to others (*niṣṭarekhu la-beriyyot*). This man left as a war refugee wishing to go up to Jerusalem the holy city, may God sustain it forever. Because of his poverty, he has been forced to travel around in search of sustenance for himself, and will go there later.[13]

The notion of sudden impoverishment befalling the "good families"—those normally well off[14]—is usually accompanied in Geniza letters by an old rabbinic idiom, *yarad mi-nekhasav*, which I freely translate "fell from his wealth." Nathan b. Mevorakh uses these very words (in the epigraph) and follows them with a rabbinic synonym, *niddaldelu mi-nikhseihem*.[15] Such unexpected impoverishment is distinguished from chronic poverty, associated with enrollment in the public dole. This is spelled out in the excerpt from Nathan's letter quoted in the epigraph, where he reminds the parnas Eli (as if he needed reminding!) that God wants people to help both "'the common poor' (*evyonei adam*, Isaiah 29:19) among us and [. . .] those from good families who have fallen from their wealth." This contrast between the two types of poverty already appears in ancient Jewish texts. For instance, the biblical verse, "And to take the wretched poor (*ʿaniyyim merudim*) into your home" (Isaiah 58:7) is taken in one rabbinic interpretation to refer to "those poor from their youth," and in another, to mean "those from good families who have fallen from their wealth."[16]

The distinction between the chronic poor and the conjuncturally poor occurs in telling fashion in a Hebrew letter of recommendation written in 1034–35. It relates the story of a formerly rich man who had come upon hard times after being attacked by brigands on the road between Damascus and the Holy Land. He was now on his way to Egypt, armed with a letter of recommendation beseeching financial assistance (charity) on his behalf. The letter-writer asks the recipient, an unnamed communal leader with the title ḥaver, to appeal to the community on the letter-bearer's behalf.

[13] *TS 18 J 4.4, lines 18–21, ed. Scheiber, *Geniza Studies*, Hebrew section, 79–81.
[14] More on the "good family" category below.
[15] Vayiqra Rabba (ed. Vilna) 34:6, *she-niddaldelu min ha-nekhasim*; ed. M. Margoliot (Margulies) vol. 4 (Jerusalem, 1958), 783, in the same passage has *meduldal min ha-nekhasim*; see also Midrash Mishlei, ed. Salomon Buber (Vilna, 1893), 22:22 (s.v. *al tigzol*), 92; Seder Eliyahu Zuṭa, ed. M. Friedman (Ish-Shalom), 2nd ed. (Jerusalem, 1960), 181 (s.v. *dal*).
[16] See Vayiqra Rabba 34:13, ed. Mordechai Margaliot, 4:800.

He then makes an important distinction, suggesting that the man was more deserving than the chronically poor: "May the ḥaver inform the community about the power of chari[t]y that is given to those who regularly stretch forth their hands (*la-asher darkam lifshoṭ yadam*), all the more so to those who have [fallen] from their [w]ealth (*le-mi she-[yarad] mi-[n]ekhasav*)."[17] Preferential sympathy for the conjunctural poor, especially those normally well off, is a common topos in Christian European sources. The individual who suddenly falls into poverty can't help it, and so should be given special consideration.

This kind of conjunctural poverty (differing from chronic, structural indigence) was so familiar to Jews of the Geniza world that the motif could be used in a sophisticated formulary letter of appeal for a suddenly impoverished "So-and-So." The letter preaches the importance of the duty of charity. In the name of "the exegete" (*al-mufassir*) (Saadya Gaon, d. 942 in Baghdad), the model letter adduces the biblical verse "Furnish him (*haʿaneq taʿaniq*) out of your flock" (Deuteronomy 15:14), understood as a commandment to give to "those known as having fallen from their wealth" (*ha-yoredim mi-nikhseihem*).[18]

Sudden loss of economic security—conjunctural poverty—is, in turn, connected with the rabbinic principle that a needy person should be provided with just enough to cover his needs. The law is derived from Deuteronomy 15:8, "You must open your hand and lend him what is sufficient to cover his deficiency" (*dei maḥsoro*).[19]A similar concept, defining need and sufficiency in relation to status, appears in the works of some Islamic jurists.[20] Writing in the latter half of the twelfth century in Egypt, Maimonides codified the Jewish ruling in the section "Gifts for the Poor" in his *Mishneh Torah*.

[17] *TS 10 J 10.9, ed. Mann, *Jews*, 2:111; reprinted Golb, *Toledot ha-yehudim beʿir Rouen bi-mei ha-beinayim* (Tel Aviv, 1976), 11–12, English version, Golb, *The Jews in Medieval Normandy: A Social and Intellectual History* (Cambridge, 1998), 25–26 (partial translation); rev. ed. Gil, *Ereṣ yisrael*, 2:224. Golb connects this letter with one (BM Or 5544.1) on behalf of Reuben b. Isaac from France (RDWM, Rouen), who fled after an assault on his family in which his son was killed and his property stolen. Gil (*A History of Palestine, 634–1099*, trans. Ethel Broido [Cambridge, 1992], 550) rejects this. He believes the letter was written by Abraham b. Solomon Gaon (of the yeshiva of Palestine) and that the needy person for whom he intercedes was probably from Byzantium. Gil thinks the letter may have been written to Alexandria, since a cantor is sent regards, which, he says, is not normal in letters to Fustat. The man wanted to return home and the letter ended up in the Geniza along with other remnants of the archive of the yeshiva, Gil supposes.

[18] TS Box H 3.81v, left-hand page, line 3.

[19] Or, "sufficient for whatever he needs," as the verse in Deuteronomy is translated in the Jewish Publication Society's *The Torah*.

[20] Ingrid Mattson, "Status-Based Definitions of Need in Early Islamic Zakat and Maintenance Laws," in *Poverty and Charity in Middle Eastern Contexts*, ed. Michael Bonner et al., 42–44.

> You are commanded to give the poor man according to what he lacks. If he has no clothing, he should be clothed. If he has no house furnishings, they should be bought for him. If he has no wife, he should be helped to marry. If it is a woman, she should be given in marriage. Even if it had been his wont to ride a horse, with a manservant running in front of him, and he has now become poor and has fallen from his wealth (*yarad mi-nekhasav*), one must buy him a horse to ride and a manservant to run before him, as it is said, *dei maḥsoro asher yeḥsar lo* ("sufficient to cover his deficiency"). You are thus obligated to fill his want; you are not, however, obligated to restore his wealth."[21]

The hyperbole about the man possessing horse and manservant who suddenly becomes poor is based on a story about the great first-century rabbi Hillel the Elder, preserved in the Tosefta (redacted ca. 400 CE) and also quoted in the Babylonian Talmud.[22] It reflects all too keenly the reality of a society in which poverty had the potential to afflict people belonging even to the comfortable classes. What is especially interesting is that the equivalent of the conjunctural poverty spoken of by modern historians was already recognized in early rabbinic Judaism. Rabbinic midrash speaks elsewhere about the "person from a prominent family (*ben gedolim*) who fell from his wealth (*yarad mi-nekhasav*) and was too ashamed to take (alms)"; and shame is associated with charity in the Grace after Meals prayer in the early prayerbook of Amram Gaon and in Sefardic versions of this invocation later on.[23] We shall return to the concept of shame later.

Conjunctural Poverty and the Working Poor

Most vulnerable to sudden impoverishment, of course, were not the members of prominent families, but those who lived at the margins of subsistence, the "working poor," like the unfortunate bearer of the Qalyūb

[21] Mishneh Torah, Hilkhot mattenot ʿaniyyim 7:3 (translation follows *The Code of Maimonides*, Book 7, trans. Isaac Klein [New Haven and London, 1979], 77; in the remainder of this book I use the Klein translation, making slight changes where necessary). Similarly, in Islamic law, a person who owns property but falls short of earning enough to maintain his normal standard of living has a claim on the zakāt, or poor-due. Yūsuf al-Qaraḍāwī, *Mushkilat al-faqr wa-kayfa ʿālajahā al-islām* (Beirut, n.d), 99–100; English translation, *Economic Security in Islam*, trans. Muḥammad Iqbāl Ṣiddiqī (Lahore, 1981), 101–103.

[22] Tosefta Peʾa 4:10, ed. Lieberman (New York, 1955) and Ketubbot 67b.

[23] Vayiqra Rabba 34:1, ed. Margoliot, 4:773; also, with variations, in Elijah ha-Kohen b. Solomon Abraham, *Meʿil ṣedaqa* (Smyrna, 1731, and later editions), ed. Hillel Kuperman (Jerusalem, 1989), 1:20 (no. 100; no. 107 in the eighteenth-century edition). Seder Rav

letter. He belonged to the ranks of the wage-earning working class, "working strenuously" to sustain his family with food, clothing, and shelter, the fundamental necessities of life. Wages were low and as a rule did not increase with time. Men like this ill-fated person could not "save for a rainy day," could not hoard a store of grain for hard times when grain prices became high. Any interruption in employment could spell disaster.

The "conjuncture" that led to the man's current financial difficulties included sudden illness. "The bearer of this (letter) is a man who was healthy. . . . Fate betrayed him and he became weak, such that anyone looking at him needs no explanation about his condition." Suddenly deprived of the ability to work, his economic base had collapsed. In the language of the time, cruel Fate brought on the illness that triggered his sudden indigence. His need was not his fault; he was not normally given to begging. Poverty was a scourge that no one—at least in the Jewish world—cared to endure. There is no hint here that poverty is a virtue, as in much Christian thinking about the indigent.

Since our unfortunate wage-earner could not work, debts weighed heavily upon him, including the poll tax, which he could not afford to pay and so loomed large as an outstanding financial obligation. We shall discuss debt and poverty later on (chapter 4). But of the many other letters in the Geniza mentioning the burden of the poll tax, the following example, like the Qalyūb letter, expresses the ubiquitous plaint of the working poor at poll tax time.

A man from Fustat, Hiba b. Zaʿfran, describing himself as "poor" (*faqīr*), writes to a Jewish courtier named Mishael, who doubtless lived or at least worked in (New) Cairo, the seat of the government.[24] Hiba asserts that he had had no need for assistance until this year. The community and judges would testify to this, he goes on. He had been seized on account of nonpayment of the poll tax and beaten severely by the tax collector in sight of six Jews from Cairo (to whom, presumably, the Cairo-based benefactor could turn for verification of the writer's plight). Fuḍāʾil,

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Amram Gaon, ed. Daniel Goldschmidt (Jerusalem, 1971), 45: *al taṣrikhenu lidei matnat basar va-dam she-matnatam meʿutṭa ve-ḥerpatam merubba*, "Do not force us to resort to gifts from flesh and blood, for their gifts are little and our shame from them is great." In some Sefardic prayer books the words *ve-lo lidei halvaʾatam*, "their loans," are added, which is not unusual since free loans are a part of charity already in Deuteronomy 15:7ff. This sentence is not found in the prayer book of Saadya Gaon. My thanks to Dr. Arnold Franklin, Dr. Annette Boeckler, and Professor Raymond Scheindlin for advice concerning this text.

[24] TS 6 J 9.7. The name, Mishael, and the appellation, *ḥasid*, attached by the writer to his name, were common in the family of the wife of Maimonides. See S. D. Goitein, "Documents on Abraham Maimonides and His Pietist Circle" (Hebrew), *Tarbiz* 33 (1963–64), 181–84.

the cantor, collected something for him to pay the poll tax. The letter is torn at this point, but presumably in the missing continuation the writer requested aid from the addressee. As in the case of the bearer of the Qalyūb letter, Hiba's emphasis on the fact that normally he did not beg is representative of many letters by or about people of meager means, for whom, just as for the well-off, conjunctural poverty served as a source of shame.

"Uncovering the Face," and Being *Mastūr*

The luckless bearer of the Qalyūb letter is described as "a man who was healthy, working strenuously *in order to* 'conceal' himself and his family." In the Geniza world, Goitein explains, appealing for assistance when in dire distress was often referred to metaphorically as "uncovering one's face" (*kashf al-wajh*, with variants), coincidentally similar to the English expression "to lose face."[25] People did not wish to expose their indigence, particularly those among the well-to-do or the working poor who were forced by unexpected circumstances into financial insecurity.[26] That would mean crossing the boundary between dignified subsistence and seeking charity. They certainly did not wish to be counted among the chronic (structural) poor, those permanently unable to secure the minimal needs for existence and who therefore had no choice but to throw themselves onto communal welfare, exposing themselves ("uncovering their faces") in public.

Voicing conscious awareness of the boundary just described, a strapped teacher appealing for charity from a beneficent lady writes: "We do not uncover (our face) like others."[27] Beseeching help out of extreme adversity, another indigent writes: "I am burdened with a family and am out of

[25] *Med. Soc.*, 2:142, 5:76. *Inkashafa wajhī*, TS 8 J 15.13, line 11. Variants: *taksīf al-wajh* [*sic*, see below note 28], *TS 13 J 20.4, line 11; *istaḥā wajhī*, TS 16.286v, line 7; *badhaltu wajhī*, TS 13 J 15.6, line 13; *aksur wajhī*, CUL Or 1081 J 8, *Med. Soc.*, 2:500, App. C 92. The last phrase, which may be loosely translated "I sacrificed my honor (lost face)," occurs in an enumeration of the eight grades of benevolence in the Judaeo-Arabic commentary of R. Aaron Garish (probably Aleppo, beginning of the sixteenth century): "The eighth, (when) one does not give to the poor until he requests it and sacrifices his honor (loses face) (*wa-yaksur wajhahu*) before him"; Nahem Ilan, *Perush "Meṣaḥ aharon" le-R. Aharon Garish* (Jerusalem, 1996), 85.

[26] The metaphor is made concrete in a passage in a letter where the writer states, "I have never been one to uncover my face nor to let anyone know what is going on with me" (*wa-lā yuʿarrif aḥad mā huwa fīhi*). DK 238a, lines 9–10.

[27] ENA 2557.147, line 18, ed. Bareket, *Teʿuda* 16–17 (2001), 385–89. Note also the same expression, but in Hebrew, in the letter TS 8.24, lines 7–8, ed. ibid., 379–81. A letter of recommendation on behalf of a needy person who is "one of those who does not make it a habit of uncovering their face by beseeching help from the public (*min al-nās*)": AIU VII A 43, line 11.

work, unable to get a hold of anything for expenses, even for sufficient bread to satisfy them. The Creator knows how I desire to find that which would free me from the need to uncover my face."[28] A down-and-out foreigner who had not been well received in Fustat tells his addressee, "I am uncovering my face to my m[a]s[t]er," then goes on to say, "had I the wherewithal to earn a livelihood I would not be in this position."[29] Yaḥyā b. ʿAmmār of Alexandria, a self-sustaining wage-earner who had fallen into financial trouble, tells his would-be benefactor that he has "never [b]een in the habit of taking from anyone nor of uncovering his face to anyone. I have been earning a livelihood, just managing to get by."[30] Yaḥyā's fascinating petition is translated in full and discussed in chapter 7.

The opposite of "uncovering the face" is expressed by the Arabic metaphor *mastūr*, literally, "covered," or "concealed," that is, from need, a usage that can also be found in a few classical Islamic sources and more commonly in modern Arabic dialects.[31] A man writes to a potential benefactor: "I hereby inform you that I have been in good health, 'concealed' among the people (*mastūr bayn al-nās*). Then when my hand became paralyzed, I was left without a means of making a livin[g]." When poll-

[28] *TS 13 J 20.4. "Uncovering the face" is written *taksīf al-wajh*, probably a misspelling or mispronunciation. The word *taksīf* can mean "cut into pieces" (A. de Biberstein Kazimirski. *Dictionnaire arabe-français*, 2 vols. [Paris, 1860], 2:898). Two words follow at the beginning of the next line, *mā wajada*. If we imagine that originally the suppliant wrote *taksīf mā wajada*, "free me from the need to cut (the meager food) he found into pieces," then inserted *al-wajh* after *taksīf* to form the standard idiom (the word *al-wajh* is in fact written above the word *taksīf* at the end of the line), we would have a neat solution to the anomaly.

[29] TS 8 J 16.30, margin. Goitein translates "standing in this posture" and speculates that it might be meant literally, "waiting outside the gate of the house for a reply." *Med. Soc.*, 5:531n228.

[30] *TS 13 J 18.14, lines 10–11, *biʾl-zāʾid waʾl-nāqiṣ*, ed. Mark R. Cohen, "Four Judaeo-Arabic Petitions of the Poor from the Cairo Geniza," *Jerusalem Studies in Arabic and Islam* 24 (2000), 449 and 451.

[31] For the Geniza see *Med. Soc.*, 5:76. For classical Islamic sources see below. For modern dialects see El-Said Badawi and Martin Hinds, *A Dictionary of Egyptian Arabic* (Beirut, 1986), 398: *ʿayshīn mastūrīn*, those who "live quiet respectable lives" or "enjoy a rich life"; *mastūr*, "having one's basic needs provided for," as in *anā mastūr al-ḥamdu lillāh*, "I make a living. I get along all right, praise be to God." For modern colloquial Moroccan Arabic see A. L. de Premare, et al. *Dictionnaire arabe-français*, vol. 6 (Paris, 1995), 35, "qui est à l'abri du besoin, que Dieu a mis à l'abri du besoin (en lui octroyant de quoi vivre décemment sans avoir recours à autrui)." In modern Lebanese Arabic, the *mastūrīn* are "the honorable poor," part of the middle class, people in modest economic circumstances, supporting their own nuclear families with their own income, without the labor of their womenfolk, but living in austerity. They are contrasted with the *muḥtajīn*, "the needy"; Fuad I. Khuri, "The Changing Class Structure in Lebanon," *Middle East Journal* 23 (1969), 37–38. The author of this article does not venture an explanation for the choice of the word *mastūr*, but it can be understood in light of our own findings from the Geniza. My thanks to Axel Havemann for this last reference.

tax payment time came he had to go into hiding in his house, and so he asks for assistance.[32]

As in the Qalyūb letter, people employed the verbal form of the root *s-t-r* as well. "I ask you to [give me something] with which I can conceal [my] condition (*astur bihi ḥāl[ī]*) and set out on my w[a]y," writes a man in need, meaning that he wishes to return to the state in which he provided for himself without having to seek charity from others.[33] A widow burdened by debts and four orphaned children petitions the judges (the Jewish court, as we shall see, was considered "the father of orphans and the judge of the widows") and the elders "to [kindly give] me something with which I may conceal myself (*astur bihi nafsī*) and the fo[ur] who are with me, and so satisfy my hunger and theirs." Further, she writes, "I and my children never, ever uncover our faces, not to a group of people nor to individuals. However, necessity has now forced us to do this."[34] The verb *istatara* is used to describe a needy foreigner after he was provided with work by the community (running a *funduq*) and achieved financial security.[35]

Writing to Maimonides, a correspondent uses a beautiful image to praise his munificence, "one who covers up (or: conceals) all who would otherwise be uncovered" (*satr li-kull makshūf*).[36] This is close to the traditional representation of God who "conceals" his creatures from adversity quoted in Hebrew in many a Geniza letter.[37] On some level, too,

[32] TS NS Box 321.11. In a phrase (misunderstood by the editor of the letter) a cantor is requested by the writer (who is sick himself) to arrange a collection for a certain mastūr indigent who is " [na]ked." AIU VII A 18, ed. Elinoar Bareket, *Tarbiz* 52 (1982–83), 38–39; idem, *Fustat on the Nile*, 190.

[33] TS 6 J 3.20, lines 3–4. Cf. TS 13 J 24.1, lines 24–25: "Tell Mukarram that if he wishes to be 'covered' (*al-sitra*) he should come to Damascus, for it conceals (*tastur*) every exposed person (*mahtūk*)."

[34] *TS 13 J 18.10, lines 7–9, 13–15. "I ask you kindly to give me something with which to conceal myself (*astatur bihi*)," writes another woman in distress; TS NS Box 31.8, lines 12–13. The phrase, "necessity has now required us to do this," recalls a regular motif in the English pauper letters, where indigents excuse themselves for imposing on parish poor law administrators to send them their allowance, e.g., "I hope you Will Excuse Me for Troubleing you with Another Letter But I am Oblige to It for Necisity forces me to It for We are at A Very Low Ebb I Dont know where to get Another Weeks Bread Without Some Assistance." Sokoll, *Essex Pauper Letters*, 311 (here and elsewhere I retain the original spelling, punctuation, and capitalizations of the original letters, so carefully reproduced by Sokoll in his masterful edition).

[35] TS 12.652, line 14, ed. Vaza, "The Jewish Pious Foundations," 289–91.

[36] AIU (shelfmark unknown), end (letter regarding charity for a foreign scholar), ed. Israel Lévi, *Monatsschrift für Geschichte und Wissenschaft des Judentums* 69 (1925), 375–77, cf. *Med. Soc.*, 2: 498, App. C 82a (1174).

[37] Especially in the expression *be-seter kenafav yastirem*, "may He cover them with the cover of his wings," *JTS MS 8254.7, line 1, ed. Goitein, *Ha-yishuv*, 312–314; Yitṣḥaq Shailat, *Iggerot ha-Rambam*, 2 vols. (Maʿaleh Adumim, 1987), 1:64–65. Also in TS 8 J 18.28, lines 3–4.

"uncovering the face" and "concealment" may be related to the idea of veiling in Islam. Just as a woman should not uncover her face, but remain veiled to protect her privacy and the privacy of her home life, so, too, an individual should not reveal his sudden economic plight in public. Ideally one should sustain one's family—"conceal" them—without resorting to outside help.

Contemporary with the Geniza documents, the Egyptian-Coptic *History of the Patriarchs of the Egyptian Church* contains a story that illustrates the terminology and its social meaning in the wider society. The tale recounts the virtues of a philanthropic deacon of the church and government official named Buqayra, who lived during the time of al-Ḥākim (996–1021), the Fatimid caliph known for his persecution of Jews and Christians. After being dismissed from his position in the government bureau, Buqayra applied himself to charitable works among his people.

> (Once), when wheat and all food were lacking, it happened one day that he purchased bread and distributed it according to his custom to the *mastūrīn* (plural of *mastūr*) and the poor (*fuqarāʾ*) till there remained with him only one loaf with which to break his fast.

And:

> There was, moreover, a man high in rank among his people (and) very rich, (who) became poor and his money was exhausted and he was in want, and shame (*ḥishma*) caused him not to expose his face to indignity nor to beg from anyone (*yabdhilu wajhahu wa-yatasawwalu*). He sold all that (was) in his house, so that nothing remained in his possession except the clothes which (were) upon him, (which) covered him.[38]

The word *mastūr* is purposely contrasted here with the normal and typical Arabic term, *faqīr* (plural *fuqarāʾ*) for "poor."[39] As in the Geniza, mastūr is the metaphor for what we have been calling the conjunctural poor—like the formerly rich man who became poor in the second Egyptian-Christian anecdote. That wealthy man's plight exactly depicts the condition of the conjuncturally poor and their experience of shame and reflects the very metaphor of "uncovering the face" that is associated with shame in the Geniza.

[38] Sawīrus ibn al-Muqaffaʿ, *Taʾrīkh baṭāriqat al-kanīsa al-miṣriyya*, vol. 2, part 2, ed. and trans. Aziz Suryal Atiya et al. (Cairo, 1948), 130–31 (Arabic), 197–99 (English, slightly changed here). The chronicle was begun by the bishop Sawīrus ibn al-Muqaffaʿ in the late tenth century and continued by others up until modern times.

[39] The translator renders *mastūr* literally, "hidden," without, however, explaining what it means in this context.

"Shame" and the Poor in the Geniza Letters

As we have seen, rabbinic midrash already speaks about the "person from a prominent family (*ben gedolim*) who fell from his wealth (*yarad mi-nekhasav*) and was too ashamed to take (alms)."[40] The concept of "shame" in the Geniza, associated with the Arabic image of mastūr, has not been fully appreciated in connection with poverty. In part, this is because the Hebrew word for "shame" and for "bashfulness" is one and the same (*busha*), and the latter sense is indeed sometimes meant. In part, it is because the Jewish expression of shame has not been recognized as the counterpart of the phenomenon of the "shamefaced poor" in European Christendom.[41]

The problem requires a brief philological digression. Many letters about the poor describe them as being embarrassed or bashful and hence unable to speak up for themselves. Exemplary is the following case, cited by Goitein.

> The bearer of this letter is a cantor from al-Andalus (Spain), a refugee from his land. He has children with him. We took care of him here for a while; then he decided to go to Fustat. He is modest (*ʿafīf*) and unable to speak up (lit. "blocked of tongue," *munqaṭiʿ al-lisān*). So he asked me to write on his behalf to a person who fears Heaven and is ready to assert himself for others. I could not think of anyone as fitting as my lord, the elder, may God watch over you.[42]

In this instance, there is little doubt that the poor man was simply bashful rather than ashamed of his poverty (though these feelings are not mutually exclusive).[43] But in many cases the language is ambiguous.

[40] Above, note 23.

[41] Goitein connects "shame" with mastūr and "uncovering the face" in *Med. Soc.*, 5:76, where he notes that "[i]n the Geniza world, where self-respect and shame counted more than anything else, it was natural that writers of begging letters emphasized that they had never before 'uncovered their faces.'" He discusses shame principally and at much greater length in the section "Awareness of Personality" in volume 5, under the rubric of humility and modesty, rather than in his discussion of poverty. He begins with reference to needy bearers of letters of recommendation who are described as diffident or modest or insecure and therefore need intervention on their behalf. "It seems that the idea of humility and modesty (often expressed in the Hebrew term), so prominent in the Geniza, stood in for shame." *Med. Soc.*, 5:198–99.

[42] TS NS J 120, lines 9–12, cf. *Med. Soc.*, 5:189, 198–99, 563n74, 598n17.

[43] The same holds for the "poor boy (*ṣabī miskīn*) [who] is shy and extremely bashful (*muḥtashim kathīr al-ḥayāʾ*), but knows well how to treat flax," also adduced by Goitein. TS 13 J 15.15, line 16, cf. *Med. Soc.*, 5:199 and 563n75. Also, a Jew from Constantinople, redeemed from captivity and now in financial need, who writes to Ephraim b. Shemarya, asking him to "be a go-between for me, because I, for my sins, am like a mute who cannot open

For instance, should the expression in letters from the nagid Joshua Maimonides (d. 1355) urging the community of Fustat to be charitable toward the letter-bearer, who is "*poor and old [and] bayshan*," be translated as "humble/bashful/modest," or "ashamed"?[44] A letter entreating help for the letter-bearer, a man from a foreign country and "from a good family," describes him as "*qalīl al-kalām wa-muḥtashim jiddān*." Should this be taken to mean, as in the extract above, "unable to speak up and very bashful," or "short on words (because he does not know Arabic) and very ashamed"—because, normally well off ("from a good family"), he is not accustomed to seeking charity?[45]

In my view, words, whether they be Arabic or Hebrew, that can connote either "humility/bashfulness" or "shame" should be understood in the latter sense when the text says that the person in question is normally self-sustaining or comes from a good family or that he or she has "fallen from his/her wealth" or when the writer uses the metaphoric pair, *mastūr/kashf al-wajh* or any combination of the above. In the Qalyūb letter I translate the Arabic word *mustaḥī* as "ashamed" because the man fits the profile of the conjuncturally poor experiencing shame.

To underscore this conclusion, let me offer a few more examples. "Modest and ashamed, having fallen from his wealth" (*ṣanuaʿ bayshan yored mi-nekhasav*) are the words used to describe a foreigner who was formerly charitable toward others. Like the beneficiary of the Qalyūb letter, "Fate had caught him in its net," so that he had had to seek help in Egypt.[46] An unfortunate man from the Maghreb, disabled and incapable of working following an eye operation, carried with him to Fustat a letter of recommendation from Alexandria (dated 1208). The writer characterizes

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his mouth and a blind person who cannot see, on account of my great embarrassment (*busha*) and humiliation." Dropsie 378, lines 33–35, ed. Bareket, *Yehudei miṣrayim*, 24.

[44] *TS NS J 258, lines 7–8, summarized by Goitein, *Tarbiz* 54 (1985), 84; *TS 8 J 9.15, lines 6–7, briefly described ibid, 85. These letters are not entirely formulaic. Some omit the word *bayshan* altogether, e.g., TS 8 J 23.4, lines 6–7, "especially to one who is poor, wi[thout anything], and old," summarized briefly, ibid., 84. This suggests that phraseology using the word *bayshan* should not be dismissed as mere rhetoric of the scribe, lacking specific facticity. It emphasizes the worthiness of the individual, because he is normally not a "taker" (hence he is ashamed). Other letters of recommendation specify that letter-bearers are from "good families"; see TS NS Box 31.7 (Goitein, ibid., 81) and *TS 8 J 13.23 (ibid., 85).

[45] TS 8 J 24.6, line 19. For the expression "he speaks only Hebrew" (*mā lahu lisān . . . illā be-lashon ha-qod[esh]*) in another letter of recommendation from Joshua Nagid, on behalf of a needy foreigner named Elijah, see TS NS J 336, lines 11–12, summarized by Goitein, *Tarbiz* 54 (1985), 85–86 (gives a different interpretation). Not enough is preserved of a letter recommending someone who is imprisoned (doubtless on account of nonpayment of the poll tax) to decide whether the comment "[he needs an inter]cessor *mipnei she-hu bayshan be-yoter*" means "because he is extremely bashful" or "because he is extremely ashamed." TS 8.71, line 3.

[46] *TS 13 J 20.28, lines 9–11; cf. *Med. Soc.*, 2:499, App. C 85.

him as a "good, poor and ashamed man who had fallen from his wealth" (*rajul jayyid ʿani u-vayshan ve-yarad mi-nekhasav*).[47] An indigent "from a good family" has a letter written on his behalf, explaining that he is deserving but "cannot face asking t[he community]." He requests that his matter be handled discreetly "[s]o that he does not experience shame from anyone" (*[ḥ]attā lā yaḥṣul lahu min aḥad busha*).[48] Similarly, the Hebrew word *busha* can only mean "shame" in a letter from an unfortunate man who had lost his wife, been "punished" by God with illness, and lost his money as well as money he held for others. He expresses the shame he feels in turning to the addressee, once using the Arabic word *faḍḥa* (shame) and, a few lines later, the Hebrew synonym *busha*.[49] Finally, writing on behalf of a needy person from a distinguished family, a man announces: "The bearer of these lines, [(our) m(aster)] and t(eacher) Yefet, is from Fustat. He is ashamed (*bayshan*). God the ex(alted) used to favor him, but it stopped, by the will of the Creator, and debts came to burden him. He has family dependents, but it is not his habit to expose his face to indignity (*ibdhāl wajh*)."[50]

Suppliants played upon this theme as a strategy to get results. Turning to a man known for his charity toward indigent scholars ("you know . . . what they earn," the writer entreats), an indigent petitioner closes with the prayer, "May you never experience shame or disgrace in your lifetime"—

[47] TS 16.287v, line 2, ed. Ashtor, *Mamluks*, 3:101–105. The date is not 1408 as Ashtor thought, but rather 1208. Cf. *Med. Soc.*, 2:136 and 548n59, where the date, "168," is explained as having 4800 implicit, and the abbreviation *lyṣ* as meaning *la-yeṣira* [thus, 4968 since the creation of the world = 1208 C.E.]). Regarding the interpretation of the letter, in general, Goitein, *Tarbiz* 41 (1971), 68–73.

[48] *TS NS J 399, lines 5–8. Further on he reminds the addressee that the best kind of charity is to give to one who (or whom one) does not know, quoting the appropriate verse, Proverbs 21:14, "A gift in secret (*mattan be-seter*) subdues (God's) anger." Other examples: A banker, fallen upon bad times ("Fate befell me") and having suffered for six months in prison (for debt, presumably), is said to be "afraid to uncover his face to the people of the c[ity] and e[xperien]ce humiliation (*al-khajal*), and perhaps they wouldn't give him a thin[g]"; TS AS 146.15, lines 6–8.

[49] TS Arabic Box 7.27: *min kathrat faḍḥatī an aḍfaḥa rūḥī bayna yaday al-mawlā* (lines 14–15); *wa-min kathrat ha-busha wa-shidda* (line 19).

[50] *TS 10 J 13.13, lines 8–11, cf. *Med. Soc.*, 5:198–99 and 563n74, where Goitein cites this text as an example of modesty. For this variant of *kashf al-wajh*, see R. Dozy, *Supplément aux dictionnaires arabes*, 3rd ed. 2 vols. (Paris, 1967), 1:60; above, at note 38 with the text from the *History of the Patriarchs of the Egyptian Church* cited there. Even without such supportive data we are probably on safe ground concluding that it is shame, rather than bashfulness, that an impoverished man expresses when he writes to a benefactor, repeating for emphasis, "your slave, the teacher, w[as] very ashamed (*muḥtashim*) in front of you," and "your slave feels very abashed (*khajala*) in front of you" and, finally, at the end of his letter, "the humiliation (*al-ḥishma*) from the communit[y] was hurt[ful]." TS 10 J 31.1, lines 5–6, 15–16, 20–21.

a reminder that conjunctural poverty might befall anyone.[51] This "there but for the grace of God go you" motif is based on a rather different assumption from the preferential religious position of the poor and poverty in so much of medieval Christian thinking.

Mastūr and "Uncovering the Face" in the Halakha

Nicely illustrating the relationship between the lived experience of poverty and charity as reflected in the Geniza and normative statements in Jewish law, Maimonides eloquently captures the antinomy between being "concealed" and forced to "uncover one's face" in his *Sefer ha-miṣvot*, "Book of the Commandments." This list and discussion of the 613 positive and negative biblical commandments forms a prelude to his code, the Mishneh Torah. Positive commandment number 197 is the injunction to lend money to the poor. Since Maimonides wrote his "Book of Commandments" in Arabic, his language precisely echoes the Judaeo-Arabic phraseology that we have found in the Geniza letters of the "shamefaced poor."

> The 197th commandment, to lend to the poor . . . This is a greater and weightier obligation than charity; for the suppliant (*alladhī iltajaʾa*) who has to "uncover his face" to beg from people (*wa-kashafa wajhahu liʾl-suʾāl min aydī al-nās*) does not suffer as acute stress in doing so as the one who is normally "concealed" (*al-mastūr*) and whose need is for help that will save him from uncovering his condition (*ḥattā lā yankashifa ḥāluhu*) and from becoming a suppliant.[52]

Concealing the poor from shame is also a major reason underlying Maimonides' novel "ladder of charity" at the end of the laws of charity in the Mishneh Torah. It ranks preferentially the various types of philanthropy beginning with the midrashically recommended giving of a gift or a loan to the poor or offering them remunerated work. This and the next several "rungs" on the ladder have as their main concern to shield the poor from feeling ashamed about their plight.[53]

[51] *TS 8 J 18.25, line 10. Cf. "May God never put (my master) in need nor humble him (*wa-lā yudhilluhu*)," *CUL Or 1080 J 31, lines 18–19, said by a man who had been driven to "uncover" his indigence to a would-be patron, a person known for his munificence.

[52] Moses b. Maimon, *Sefer ha-miṣvot*, ed. and trans. into Hebrew by Joseph Kafaḥ (Jerusalem, 1971), 158–59; English translation, *The Commandments: Sefer Ha-Mitzvoth of Maimonides*, by Charles B. Chavel (London and New York, 1967), 1:211. I have modified Chavel's translation to convey the metaphoric content of Maimonides' text, which is more closely preserved in Kafaḥ's Hebrew rendition.

[53] Naftali Tzvi Yehudah Bar-Ilan, *Niqdash bi-ṣedaqa* (Rehovot, 1990), 68–72. The third century (?) midrash Avot de-Rabbi Nathan (ed. Schechter, version A, chapter 41) states:

Mastūr, "Uncovering the Face," and Charity in Islamic Sources

The metaphor mastūr/kashf al-wajh used by Maimonides does not reflect any known rabbinic idiom. It is Arabic imagery and comes from his Arabic surroundings, such that it could also appear, as we have seen, in a source from the Arabic-speaking Christian community of Egypt. The related concepts of mastūr and "uncovering the face" exist also in Islamic sources, though they have not been fully understood. The historian of medieval Islamic Egypt, Yaacov Lev, came across them in research for a recent and much welcomed article on Islamic charity in Egypt and Syria during the period contemporaneous with the Geniza documents.[54] His data are fascinating, but I suggest they should be understood differently in the light of the Geniza documents and the Christian Arabic chronicle.

Ahl al-sitr (better: *satr*) appear as beneficiaries of private charity as early as the ninth century in al-Balawī's biography of Aḥmad ibn Ṭūlūn, the quasi-independent ruler of Egypt. Lev renders this "people who lived in seclusion" and suggests they were a class of recipients of charity "highly respected and known for their way of life." Further, he argues, "[i]t can also be inferred that seclusion was associated with piety and poverty."[55] Interpreting an episode from the mid–eleventh century, Lev adds that some of these people "lived in seclusion at the cemeteries."[56]

In addition to ahl al-satr, and more telling from our point of view, is the evidence Lev finds in a story about a well built by Ibn Ṭūlūn for the benefit of the populace. During the daytime, those who came to take advantage of the ruler's beneficence were people who uncover their faces (*man kashafa wajhahu*), as well as *ghulām*s (servants) or slave-girls fetching water on behalf of their masters. During the night, however, the users of the well were the *ḍuʿafāʾ* ("weak," a synonym for "poor") and *al-mastūrūn waʾl-mastūrāt* (which Lev understands in the literal sense of "veiled"). Lev

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"Three things were said of men: one gives charity, may blessing come upon him; superior to him is one who lends his funds; superior to all is one (who forms a partnership with the poor) on terms of one half the profits (for each) or on terms of sharing what remains"; trans. Judah Goldin, *The Fathers According to Rabbi Nathan* (New Haven, 1955), 171. The novelty of Maimonides' formulation lay in the listing of the "gradations of benevolence" and in the last four of the eight categories themselves, for which no prior rabbinic source is known. The ladder idea caught on in later rabbinic commentators. Abraham Cronbach, "The Gradations of Benevolence," *Hebrew Union College Annual* 16 (1941), 163–86.

[54] Yaacov Lev, "Charity and Social Practice: Egypt and Syria in the Ninth–Twelfth Centuries," *Jerusalem Studies in Arabic and Islam* 24 (2000), 472–507. Lev is preparing a book on charity, endowments, and charitable institutions in medieval Islam.

[55] Ibid., 484, 489.

[56] Ibid., 493.

rightly contrasts those who uncover their faces and draw water from the well in daylight with the mastūr, who come at night. In keeping with his understanding of ahl al-satr, he sees the former as the "simple working class people, who appeared in public and mixed with others in order to secure their livelihood and daily needs" and the latter as people living in seclusion.

I would suggest, however, that the ahl al-satr-mastūrūn/rāt and those who uncover their faces are identical with their counterparts in the Geniza and in the contemporary Egyptian-Christian story.[57] Lev's story recalls the same contrast between the "concealed" and those forced to "uncover their face" that, we have argued, corresponds to modern scholars' distinction between the conjunctural and structural poor. Ahl al-satr or the mastūr would, therefore, be Muslims who, normally well off and respectable or at least getting by, felt shame when they needed charity. Hence their clandestine nighttime visit to the well. Those who drew water during the day included the chronic poor, who felt little or no shame when displaying their indigence in public (uncovering their faces) because they had no other choice. The mastūrūn who only came to the well at night could certainly have been known for their piety (piety and poverty are associated in Sufism; see below), and those who lived in the cemeteries may have done so for the pious purpose of visiting the graves of the dead. But Lev's evidence is more appropriately interpreted in consonance with the picture we have sketched in connection with the Geniza data.

The mastūr idea hides behind the usage of *satr* or its verbal form in other Arabic sources, among them the famous Sufi treatise of al-Ghazzālī (1058–1111), *Iḥyāʾ ʿulūm al-dīn*, "The Revival of Religious Sciences," and I have even found an example of the usage of *mastūr* itself in that work. Among those whom the author describes as especially deserving recipients of charity is "the man who conceals and hides (*mustatir mukhfī*) his wants and does not do a lot of grumbling and complaining," and who (echoing earlier traditions of the Prophet) "does not beg importunately." These people should be sought out by charitable people, al-Ghazzālī recommends, reminding us of the sequestered "shamefaced poor" of medieval and early modern Europe. Moreover—reconciling Lev's understanding of satr with our own—"the concealment of poverty (*satr al-faqr*)," al-Ghazzālī writes, "is one of the treasures of piety (*min kunūz al-birr*).[58] Reciprocally, therefore, the Islamic evidence reinforces

[57] One of the medieval meanings of *ahl al-satr* is "des hommes honorables, considérables," and of *mastūr*, "celui qui n'a que le nécessaire," see Dozy, *Supplément*, 1:632 and 633.

[58] Al-Ghazzālī, *Iḥyāʾ ʿulūm al-dīn* (Cairo, 1939), *Kitāb asrār al-zakāt*, 1:227. The Islamic tradition: see Michael Bonner, "Definitions of Poverty and the Rise of the Muslim Urban Poor," *Journal of the Royal Asiatic Society*, series 3, 6, 3 (1996), 342. "Treasures of piety": al-Ghazzālī, ibid. (Cairo, 1387/1968), 4:256. Cf. the phrase linking *satr* with *faqr* in a Geniza letter about the death of the beneficent nagid of Qayrawan, Abraham ibn ʿAṭā, d.

and is itself reinforced by the distinction between conjunctural and structural poverty that we have found reflected in the Jewish materials.[59] The mastūr metaphor for what moderns call the conjunctural poor seems, therefore, to be an Islamic term that was absorbed into Judaism in the Middle Ages to describe a distinction in the concept of poverty that both societies shared—and one of the cross-cultural features of poverty that the research here has confirmed from a new angle.

Between Structural and Conjunctural Poverty

Just how salient the distinction between the structural (chronic) and conjunctural poor (with its attendant shame) was in Jewish thinking about poverty during the Geniza period can also be judged from the more inert and "silent" evidence of the alms lists. These registers contain the names of the beneficiaries of public charity, who receive bread, or wheat, or money (for instance, to help defray their poll tax), and sometimes clothing. While the vast majority of these people were chronically destitute, occasionally an individual is singled out as mastūr (or fem. *mastūra*). I believe the word is intended to distinguish the recipient, normally well off, or at least getting by, from those who are perpetually poor because of infirmity, widowhood, old age, or some other impoverishing situation. This includes foreigners recently arrived and at least temporarily without means of support.

In a long list of recipients of loaves of bread from the community dating to the second half of the eleventh century we encounter an anonymous beneficiary: "Mastūr—5," meaning he received five loaves.[60] This, I believe, refers to a person, normally self-sufficient, but probably living close to the poverty line. He rarely needs alms and so is listed anonymously to help shield him from shame.

More telling is the following instance. A list of about eighty-five householders, apparently, Goitein surmises, "prepared to form the basis for the allocation of communal assistance," includes one man registered as *zajjāj*

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ca. 1020: *wa'l-fuqarā' wa'l-masākīn inkashafū min satrihi kashfatan lā satra ma'ahā*, "the poor and destitute have become exposed as a result of the loss of his 'cover,' so exposed that there is no more cover to be had." Antonin 904, lines 17–18, ed. Assaf, *Tarbiz* 20 (1950), 186, rev. ed. Gil, *Be-malkhut yishmael*, 2:436.

[59] The terms *satr* and *kashf* are well-known opposites in other parts of Islamic religious literature, for instance in the letters (*rasā'il*) of the Ikhwān al-Ṣaffā', the Brethren of Purity, where they denote concealment or revealing of spiritual leadership, respectively. There might be a connection between this terminology and that found in the more mundane usage in the Geniza and, as we have seen, in Islamic sources.

[60] TS Box K 3.34, left-hand page, line 25. See *Med. Soc.*, 2:445, App. B 28.

mastūr, "the *mastūr* glassmaker."[61] Others recorded on the same sheet of paper include typical representatives of the structurally poor—the sick, the old, orphans, and so forth. The attribute mastūr appended to the glassmaker's professional designation is there, I contend, to distinguish him from the others on the list, who were chronically needy and inured to their poverty. By being listed as *zajjāj mastūr* and anonymously, the glassmaker hoped to limit the shame of being enrolled among the regular beneficiaries of public distributions, who had no choice but to ask for bread and other necessities from the community on a regular basis. Indeed, glassmakers appear both on alms lists *and* on lists of contributors to charity (see below), a sign that members of this category of craftsmen generally earned enough to subsist on, perhaps leaving a small surplus, but often lived so close to the poverty line as to need alms.

The third example is by far the most compelling. A list that Goitein interprets as "a distribution of money, probably before a holiday, in a time of severe hardship, when the community had not enough means, and about fifty families had to wait for their shares,"[62] includes a recipient of five (dirhems), called *Mu'ammala mara armala [ma]stūra mā akhadhat qaṭṭu shay*, "Mu'ammala, a *mastūra* widow, who has never, ever, taken anything."[63] The list includes other widows, sick and disabled people, and interestingly "a poor young man who arrived in the evening and whose overcoat was taken from him as collateral for 5 dirhems; his name is Abu'l-Munā, and he is in pain." By the designation *mastūra*, our widow, "who has never, ever, taken anything," is distinguished from those others whose poverty was enduring—structural—on account of some disability that kept them from earning.[64]

It is difficult, as Goitein himself discovered, to find a single English word that conveys the social meaning of the Arabic root *s-t-r* in these contexts. Goitein renders "*mastūra* widow" in the alms list just mentioned, as "a widow of good family."[65] In other instances, he uses "well off" for mastūr, where the metaphor is juxtaposed to *ṣuʿlūk/ṣuʿlūka*, meaning "destitute," and also connects the metaphor with the related but more

[61] *TS Box K 15.102r, left-hand page, line 10; *Med. Soc.*, 2:446, App. B 31 (1100–40).
[62] *TS Arabic Box 30.67; *Med. Soc.*, 2:456–57, App. B 65 (first half of the twelfth century).
[63] Ibid, verso, left-hand page, lines 5–7.
[64] A mastūr is distinguished from a chronically needy person in the entry *maʿrifat al-mastūr,* where the latter, a non-needy person (unnamed), vouches for the former, an acquaintance of his, who is poor and on the dole (TS 20.23v, line 3, *Med. Soc.*, 2:439–40, App. B 3 [1020–40]).
[65] "A widow of good family who never in her life had taken anything from anyone"; *Med. Soc.*, 2:457.

general concept of being "veiled."[66] If one owns a house, Goitein explains, one is mastūr, "respectable," because the home conceals one's deficiencies.[67] Discussing attitudes toward sex, Goitein points to those who, because they exist at the other end of the social spectrum from the more affluent, are not mastūr, "literally, 'not covered,' not protected by their means, family, or social standing, in short, not respectable—[having] little power to seclude their wives and no cause to restrain their tongues."[68]

In the absence of a single, adequate English term for mastūr in the cases we have been discussing I am inclined to settle for a literal translation, "concealed." But the meaning was clear to contemporaries. It was used by Jews, Muslims, and Christians in medieval Egypt to distinguish a certain type of needy person, one who is not normally numbered among the helpless indigents—the structurally poor—but rather is to be counted among the "respectable" working and self-sufficient classes who were occasionally thrust into poverty by what we call a conjuncture. With the help of the abundant Geniza evidence about this concept, the phenomenon among medieval Egyptian Muslims and Christians can now also be identified, while at the same time another cross-cultural social structure common to the three religious communities in Islam and to Christians in Europe has been uncovered, proving once again how, even in their social mores, Jews and Christians resembled their Muslim neighbors.

The Underclass and the Nonpoor

In a revealing table based on an analysis of economic data contained in about four hundred engagement and marriage contracts—amounts of the marriage gift of the groom and of the dowry of the bride—Goitein came up with the following statistics showing the relative numbers of poor among the various economic strata of the community, "one fourth of which seems to have been either entirely destitute or very poor." These are the first two categories (I and IIa), constituting the "totally underprivileged."

[66] *TS 13 J 20.28, verso, lines 4–5: *wa-mā hiya ṣuʿlūkhā* [sic] *mā hiya illā mastūra* (in the postscript to our very letter); *Med. Soc.*, 3:55 and 438n31 [Goitein spells it *saʿlūka*]). "One should be *mastūr*, literally, 'veiled,' screened off from the curiosity of outsiders by means of one's work, or at least by enjoying the protection of the family or of an influential patron. The opposite of the *mastūr* was the *ṣaʿlūk* [*sic*]"; ibid., 5:76 and cf. 526n137. See also ibid., 83 (regarding refugees and other strangers, those who lose the benefits of being mastūr at home).

[67] *Med. Soc.*, 4:85.

[68] Ibid., 5:308.

Economic status of family based on size of marriage gift of groom and of dowry of bride	Number of engagement and marriage contracts in category
I destitute	62
IIa poor	51
IIb very modest	71
IIc modest	54
IIIa lower middle class	78
IIIb upper middle class	64
IV wealthy	16
Total	396[69]

Coming from another angle, using alms lists and donor lists, we can impute more social meaning to the taxonomy of the poor and the nonpoor by cataloguing the occupations that the poor—the "underclass" of society—were likely to engage in when they had work as well as the professions that were typically associated with the nonpoor. We can do this because people in these lists are often identified by an occupational tag. By the term "underclass" I mean the working poor and the chronically disabled (hence unemployed), to be distinguished from the merchants, physicians, government clerks, various skilled workers, and other members of the nonpoor. A middle group, oscillating between poverty and comfort, will also be identified.

There are some caveats in what we are about to do, of course. A label such as "Ibn (al)-X" where "X" designates an occupation may refer to an ancestor rather than the person's father—a kind of family name like Baker or Miller. Many people are identified as "son of X" where the spelling is *ben* rather than *ibn*, and it is difficult to know whether the name is a patronymic like Ibn X or the listed person is actually the son of X. The datum may still be significant for identifying the occupation of the registrant because vocations were frequently inherited from generation to generation. But we have excluded these people from our analysis since we cannot be certain what their own occupation was. When we encounter an entry such as "X son of Y, the porter" (*al-ḥammāl*, sometimes just *ḥammāl*, "porter"), where Y is a proper name, it may designate the occupation of the father *or* the son. Nonetheless, in the interests of rigor, we have generally not counted such persons either. Similarly we have been cautious when finding, particularly on alms lists, a wife (or widow) or divorcée identified by her husband's name and occupation. For instance, although "the wife (probably widow) of Bishr al-baqqāl" (the greengrocer) was listed as a beneficiary of charity, Bishr may not himself have been a

[69] *Med. Soc.*, 5:526n132 and page 74.

member of the underclass.[70] In fact, all other "greengrocers" are found on lists of contributors, not lists of beneficiaries, suggesting that this was not an occupation normally associated with poverty. Bishr's wife, on the other hand, seems to have joined the underclass when her husband died.

Occasionally we encounter on an alms list a profession that we would expect to be a well-paid one. But we must remember that bad luck, illness, or an economic crisis in society, in short, a conjuncture, could and frequently did strike the nonpoor. While these people generally were ashamed to seek public assistance, sometimes they had no choice (like the glassmaker we just met). Conversely, from time to time we encounter a name on a donor list of a person whom we would classify by his profession as a member of the underclass. But we must recall that charity was a religious duty incumbent on all, even the poor, when they could afford a small contribution.

In the analysis that follows I have utilized all lists that I was able to find (about 315), retrieving information through keyword searches in the indexed database I created using the word processor Nota Bene. Most of the lists are dateable. Those lacking dates could not be fixed in time either by Goitein or by myself. The number of instances for each occupation is indicated in the notes. Where we find a particular occupation on one list only, the datum is only minimally significant and should be considered tentative evidence of a trend for that particular walk of life. The larger the number of documents (as the notes record), the more significant statistically are the conclusions that can be drawn. It is important to keep in mind, however, that the Geniza is not an archive, systematically preserving documents to which systematic, statistical methods can be applied. It is, rather, a haphazard deposit of material, much of which is torn or otherwise poorly preserved. At best, it conveys an impression of trends rather than quantifiable conclusions. My taxonomy of the poor and nonpoor below, based on frequency of appearance of occupations in the alms lists and donor lists, gives at best a rough picture of reality.

The Underclass

Trying now to refine the profile of the underclass, we record first occupations that occur (at least once) in the alms lists or beneficiary lists, but not (or hardly ever) on rosters of benefactors.[71] These were the working poor in low-paying occupations who, even when they worked, found it

[70] TS NS J 293 (a) recto, left-hand side, line 2, *Med. Soc.*, 2:448, App. B 33 (1100–40).

[71] When many lists are cited in a note, I use Goitein's more inclusive term "beneficiary list," because in some instances a list may contain one or more names of communal officials receiving installments on their salary, in addition to alms for the poor.

difficult to make ends meet. Hence many of them were forced to seek public assistance.[72]

gardener (*bustānī*)[73]
parchment maker (*ruqūqī*)[74]
jeweler (*ḥallāʾ*)[75]
dealer in aromatic wood (*ʿūdī*)[76]
maker of leather bottles, e.g. for flour (*baṭṭāṭ*)[77]
maker of fans (*marāwiḥī*)[78]
maker of spindles (*maghāzilī*)[79]
"downer"—processor and seller of down (*zaghghāb*)[80]
leather merchant (*jallād*)[81]
worker/dealer in lead (*raṣṣāṣ*)[82]
perforator of pearls (*thaqqāb al-luʾluʾ*)[83]
maker of carp pickles (*būnnī*)[84]
processor or seller of almonds (*lawwāz*)[85]
producer/seller of fine things (*daqqī*)[86]
flour dealer (*daqqāq*)[87]

[72] Some names appear in more than one document and often represent the same person, but, as I am seeking to elucidate trends, not to compile exact statistics—especially given the serendipitous nature of the Geniza in general—I count documents (representing discrete distributions), not individuals.
[73] A recipient of clothing, 1139–40: TS NS J 293 (a) recto, right-hand side, line 9, *Med. Soc.*, 2:448, App. B 33 (1100–40).
[74] On one beneficiary list: *TS Box K 15.102r, left-hand page, line 10, *Med. Soc.*, 2:446, App. B 31 (1100–40). "Perhaps not a destitute person, but as drawing part of his emoluments from the community in kind, as did other officials in such lists"; *Med. Soc.*, 1:112 and 422n84.
[75] On one alms list: ENA 2763.20, line 1, *Med. Soc.*, 2:463–64, App. B 92.
[76] On two donor lists, e.g. PER H 181, line 13, *Med. Soc.*, 2:502, App. C 114.
[77] A recipient of six loaves of bread: TS 24.76v, line 7, *Med. Soc.*, 2:439, App. B 1 (1020–40).
[78] On an alms list, evidently of persons needing help paying their poll tax: TS 8 J 41.13v, line 5, *Med. Soc.*, 2:460–61, App. B 75 (1200–40).
[79] On an alms list: TS Box K 15.85r, line 9, *Med. Soc.*, 2:448, App. B 34 (1100–40).
[80] On a list of persons needing help paying their poll tax: TS Box K 15.66r, line 5, *Med. Soc.*, 2:440, App. 4–5 (1040–60).
[81] Two leather merchants on one beneficiary list, TS AS 149.15, line 9, 21.
[82] On one alms list: *TS Misc. Box 8.9v, left-hand page, line 12, *Med. Soc.*, 2:442, App. B 18 (ca. 1107).
[83] On one alms list: TS Box K 15.14v, line 15, *Med. Soc.*, 2:440, App. 4–5 (1040–60).
[84] On one alms list: TS NS J 245, line 9, *Med. Soc.*, 2:462, App. B 84 (1200–40).
[85] On one alms list: TS Box K 15.66v, line 2, *Med. Soc.*, 2:440, App. 4–5 (1040–60).
[86] On six beneficiary lists, e.g., *TS Arabic Box 30.67r, right-hand page, line 3, *Med. Soc.*, 2:456–57, App. B 65 (1100–40).
[87] Only on beneficiary lists, three of them, e.g., TS Misc. Box 28.184v, right-hand page, line 24, *Med. Soc.*, 2:457–58, App. B 66 (1100–50).

doorkeeper (*bawwāb*)[88]
messenger (*rasūl*)[89]
mason (*bannā*)[90]
water carrier (*saqqā'*)[91]
maker of litharge (*martakī*)[92]
shoemaker (*ḥadhdhā'*)[93]
shoemaker (*kharrāz*)[94]
blacksmith (*ḥaddād*)[95]
bookseller (*warrāq*)[96]
washer of the dead (*ghāsil/a*)[97]
grave digger (*ḥaffār*)[98]

[88] On a list of recipients of alms: ENA NS 77.208v, line 3.
[89] On one alms list: TS Box K 15.96v, right-hand page, line 9, *Med. Soc.*, 2:441, App. B 8 (1070s?).
[90] On six lists of beneficiaries, e.g., *TS Box K 15.102r, left-hand side, line 11, cf. *Med. Soc.*, 2:446, App. B 31 (1100–40).
[91] On twelve beneficiary lists, e.g., on a list of beneficiaries of subventions toward their poll tax, TS NS J 191, line 17, *Med. Soc.*, 2:441, App. B 9 (1040–60).
[92] On four beneficiary lists, e.g., TS 13 J 6.20, line 9, *Med. Soc.*, 2:441, App. B 7 (1040–60).
[93] On a list of persons showing the fractions of a dinar they were expected to contribute in partial payment of their poll tax (one dinar, the lowest rate, was paid by the underclass), the community making up the balance. TS Box K 15.14v, left-hand column, line 10, *Med. Soc.* 2:440, App. B 4–5 (1040–60).
[94] On five lists of beneficiaries, e.g., three of them on the list TS Box K 15.30, lines 15, 17, 19, *Med. Soc.*, 2:448, App. B 35 (1160–90).
[95] On a list of about 125 persons who, with few exceptions as far as defined, are either craftsmen, laborers, or foreigners. TS NS J 179v, line 6, ed. Ashtor, *Shazar Jubilee Volume* (Jerusalem, 1973), 505–509; *Med. Soc.* 2:441, App. B 11 (1040–60).
[96] On one alms list: TS Box K 15.85r, line 15, *Med. Soc.*, 2:448, App. B 34 (1100–40).
[97] On eleven beneficiary lists, some male, mostly female members of this profession, e.g., ENA NS 22.26v, line 5 (a male washer of the dead), from a period of famine during the 1030s, *Med. Soc.*, 4:240 and 438n111. Two female washers of the dead, one serving the newcomers from Rūm and the other the local Fustat Jews, appear on numerous lists from the beginning of the twelfth century.
[98] On a dozen beneficiary lists, for example, two grave diggers on a list of recipients of wheat: TS Misc. Box 28.184r, right-hand page, line 16 ("the proselyte who is a gravedigger"), line 21 ("Qalos the gravedigger," evidently from Byzantium, as indicated by his Greek name, meaning "beautiful"—a foreigner forced to work in a base occupation, see *Med. Soc.*, 2:449), *Med. Soc.*, 2:457–58, App. B 66 (1140–59), as determined by the mention of the nagid, who, according to Goitein, must be Samuel b. Ḥananya (in office 1140–59). Also, not surprisingly found on the dole: "the wife (widow) of the proselyte gravedigger" (TS NS J 293a verso, right-hand page, line 4, *Med. Soc.*, 2:448, App. B 33 [1139–40], a recipient of clothing); and several children of grave diggers: "the daughter of Abu'l-Faraj the gravedigger" (TS Misc. Box 28.184v, right-hand page, line 25); "Joseph the son of [t]he gravedigger," listed with a sum of money, evidently representing his share of his poll tax payment, the balance to be paid by the community (TS 13 J 6.20, line 8, *Med. Soc.*, 2:441, App. B 7, 1040–60); "the orphan son of Mukārim the gravedigger—a small *jūkāniyya*" (TS Arabic Box 52.247r left-hand page, line 15, *Med. Soc.*, 2:459, App. B 72 [1150–90]); "the orphan son of Simḥa

porter (*ḥammāl*)[99]
night watchman (*ṭawwāf*)[100]
slaughterer (*dhabbāḥ*)[101]
preacher (*darshan*)[102]
healer of stomach trouble (*quḍāʿī*)[103]
treater of wounds (*kallām*)[104]
supervisor (of kashrut) (*shomer* [Hebrew], *ḥāris* [Arabic], *nāṭūr* [Aramaic])[105]

Alongside the working poor, the underclass was populated by the classic underprivileged of all societies—the chronically invalid and those unable to work for some other reason. Whether it be on alms lists or in letters, we often encounter—of both genders—the deaf (*aṭrūsh,* so spelled, hence pronounced), the blind (*ḍarīr, aʿmā*), the dim-sighted (*al-ghāshiyya*), the lame (*muqʿad/muqʿada*), the stricken (*muṣāb*), the afflicted (*mubṭala*), the old man or woman (*ʿajūz*, literally, incapacitated), people in pain (*wajaʿ*), the semiparalyzed (*maflūj*), the lame (*aʿraj*), the chronically ill (*zamin*), people with tremors (*murtaʿash*), and people with gastric or intestinal illness (*mabṭūn*). Also among the "weak," widows, divorcées, and orphans appear frequently.

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the gravedigger" (TS NS Box 320.30v, left-hand page, line 3, *Med. Soc.*, 2:456, App. B 63 [1100–50]). A Simḥa the grave digger was still alive and receiving bread from the community around 1107 (evidently to be distinguished from another Simḥa, spelled with a *samekh* rather than a *sin*, on the same list, and elsewhere on other fragments of this record book). *TS Box K 15.39v, right-hand page, line 29, *Med. Soc.*, 2:443, App. B 21 (1107); Simḥa (with a *samekh*), on recto, right-hand page, line 21, his name crossed out. The chronological order of the pages in folio 39, as well as that on other preserved folios of this record book (discussed in *Med. Soc.*, 2:443, App. B 21) cannot be determined with certainty.

[99] About twenty lists, all but one of them records of beneficiaries, e.g., a list of more than 180 persons with their share of the poll-tax payment, the community taking responsibility for the balance. TS Box K 15.96, *Med. Soc.*, 2:441, App. B 8 (1040–60) (ten porters, seven of them listed as "X son of Y the porter," where it cannot be determined with certainty whether it was X or Y who held that occupation).

[100] On fifteen lists, e.g., Dropsie 465, line 1, a list of beneficiaries of subsidies toward their poll tax, *Med. Soc.*, 2:466–67, App. B 106.

[101] On a list of recipients of cash subsidies toward their poll tax: TS Box K 15.96b recto, left-hand page, line 30 (Bū ʿIzz the slaughterer), and line 28 (Samuel b. Abu'l-Faraj "the slaughterer of goats," *dhabbāḥ al-māʿiz*, which can refer either to Samuel or to his father), *Med. Soc.*, 2:441, App. B 8 (1040–60).

[102] On a list of persons needing help paying their poll tax: TS Box K 15.66r, line 3, *Med. Soc.*, 2:440, App. 4–5 (1040–60).

[103] On five beneficiary lists, e.g. *TS Box K 15.15r, left-hand page, line 5, *Med. Soc.*, 2:443, App. B 20 (ca. 1107) (the man doubled as a cantor).

[104] On one beneficiary list: TS NS Box 320.30v, left-hand page, line 9, *Med. Soc.*, 2:456, App. B 63 (1100–50).

[105] On ten lists of beneficiaries, e.g., *TS Box K 15.102r, left-hand page, lines 2–4 (4 different shomerim), *Med. Soc.*, 2:446, App. B 31 (1100–40). The unusual *nāṭūr*: Dropsie 468r, right-hand page, line 23, *Med. Soc.*, 2:467 App. B 107 (and on one other list).

Communal officials show up repeatedly as recipients of alms. They received low wages, hence often needed charity to make ends meet. Some lists are actually accounts of communal expenditures, and they include, alongside officials receiving salary installments, a line item for bread for the poor and even names of obvious indigents. Whether the community "servants" (as they were called, like "civil servants" in our society) should be considered members of the "underclass" is a matter of semantics. The definition of the underclass was primarily economic.[106]

Middle Group

Many occupations appear both on beneficiary lists *and* on donor lists. These people were usually somewhat better off than those mentioned above. They floated back and forth between subsistence (greater or lesser) when they were working, which kept them out of "deep" poverty, to borrow Paul Slack's term in his study of poverty in early modern England,[107] and impoverishment, which led them to the dole. It was their economic situation that determined whether they fell into the ranks of the needy. When they had some extra money, they gave to charity.

Further refining the category when I have enough examples for the differentiation to have any statistical meaning,[108] the ones marked below with one asterisk appear considerably more often as givers than as takers; those with two asterisks, more often as takers than givers. At the lower end we encounter some communal officials, who, though poorly paid, at least had regular salaries and so contributed to charity when they could. As synagogue functionaries they could hardly avoid participating in public charity. At the upper end of the middle group we find people in the silk trade, a staple commodity in the economy of Egypt, and dyers, who served the almost insatiable appetite of the Geniza people (and their Muslim neighbors) for colored garments. We are not surprised to find bankers, money assayers, and people in the medical profession as donors. But even these people could end up on the dole. In those days bankers were mostly moneychangers who may also have held deposits

[106] Cf. *Med. Soc.*, 1:80: "Occupation, together with the economic position normally connected with it, was the main, although not the exclusive, divider of society." From more recent times, the needy are mixed together with communal functionaries in a list of communal expenditures of the Yemenite community of Jerusalem in 1911. Yosef Tobi, *Ha-qehilla ha-temanit bi-yerushalayim 641–681 (1881–1921): osef teʿudot me-arkhiyon vaʿad ha-ʿeda* (The Yemenite Community of Jerusalem 1881–1921: Selected Documents from the Communal Archives) (Jerusalem, 1994), 197–99.

[107] See above, note 7.

[108] We must always keep in mind the serendipitous nature of the Geniza and that the discovery of one person in another category on a new list would shift that category to the middle group. Where the evidence is sparse there is a great deal of tentativeness to this taxonomy.

for merchants, and pharmacists were mainly purveyors of medicinal herbs. Physicians, while overwhelmingly among the nonpoor (see below), could also experience economic hardship—there was lots of competition. One doctor, as we learn from his plaintive letter, had worked on retainer as house physician for a noble Muslim family for the pauper's wages of one dinar a month, and now was destitute.[109]

**beadle (of the synagogue) (*khādim*)[110]
**cantor (*ḥazzan*)[111]
**tanner (*dabbāgh*)[112]
**errand boy or factotum (*ṣabī*)[113]
**"young man"—slave or freedman/apprentice/factotum (*ghulām*)[114]
flax merchant (*kattānī* or *kattānānī*)[115]

[109] Physicians, druggists, and other professionals as donors: *Med. Soc.*, 1:78. Destitute physician: TS 13 J 6.16, cf. *Med. Soc.*, 2:256 and 580n88. A mixed picture of the income level of physicians in Islam: Franz Rosenthal, "The Physician in Medieval Muslim Society," *Bulletin of the History of Medicine* 52 (1978), 481; reprinted in Rosenthal, *Science and Medicine in Islam: A Collection of Essays* (Aldershot, 1990).
[110] On thirty-three lists, all but one of them registers of beneficiaries, including some communal payroll records. E.g., a list of recipients of alms including two beadles, the beadle of the synagogue of the Iraqis and the beadle of the shrine synagogue of Dammūh, TS 20.23v, line 8, *Med. Soc.*, 2:439–40, App. B 3, (1020–40). On some donor lists we encounter beadles through whom payments by others were made, e.g., a collection toward the poll tax of the indigent, *ENA 2591.6, in the margin, *Med. Soc.*, 2:505, App. C 128, and an account of pledges made for the upkeep of Dammūh, TS 12.419v, line 14 and also at the side of the column, *Med. Soc.*, 2:485, App. C 36 (early thirteenth century). Female beadles appear on two alms lists, e.g., "the female beadle of the Palestinian synagogue and her mother," *TS Arabic Box 30.67v, left-hand page, line 11, *Med. Soc.*, 2:456–57, App. B 65 (1100–50).
[111] On thirty-nine lists of beneficiaries (frequently many cantors appear on one list), including many accounts of expenditures incorporating community officials in receipt of payroll installments from the weekly proceeds of the community chest, e.g. ENA 2591.18, lines 6 and 7, *Med. Soc.*, 2:465–66, App. B 102 (end of twelfth century; the same list includes "our master," i.e., Maimonides, and his contemporary from Marseilles, France, the judge R. Anaṭoli, later to become chief judge in Alexandria), and on twelve donor lists, e.g., TS Misc Box 8.102r, left-hand page, line 5, *Med. Soc.*, 2:478, App. C 19 (ca. 1095).
[112] On eight alms lists, e.g., ENA 2713.26, line 7, *Med. Soc.*, 2:439, App. B 2b (1020–40). Four times on lists of contributors: e.g., Bodl. MS Heb. e 94.22, line 15, *Med. Soc.* 2:498, App. C 80 (early twelfth century).
[113] On seventeen alms lists, e.g., TS Arabic Box 52.247v, right-hand page, line 2, *Med. Soc.*, 2:459, App. B 72 (1150–90) and five donor lists, e.g., TS NS J 98v, line 4, *Med. Soc.*, 2:452, App. B 47 (1210–25).
[114] On fifteen beneficiary lists, e.g., (three of them) TS Box K 15.66, line 8 and verso, lines 8, 14 and recto, *Med. Soc.*, 2:440, App. B 4–5 (1040–60), and on four donor lists, e.g., TS 13 J 35.7v, line 25, *Med. Soc.*, 2:474–75, App. C 8 (1040–60)—the ghulām of Ibn ʿAwkal the wealthy merchant, also a doctor.
[115] On five donor lists, e.g., TS Box K 15.106, line 23, *Med. Soc.*, 2:477, App. C 16 (third quarter of the eleventh century), and one beneficiary list, TS NS J 179, ed. Ashtor, *Shazar Jubilee Volume* (Jerusalem, 1973), 505–509, cf. *Med. Soc.*, 2:441, App. B 11 (1040–60).

carpenter (*najjār*)[116]
teacher (*muʿallim/muʿallima/melammed*)[117]
translator (*mutarjim*)[118]
astrologer (*munajjim*)[119]
maker or seller of olive oil (*zayyāt*)[120]
meat cook (*ṭabbākh*)[121]
seller of fuqqāʿ (honey sherbet) (*fuqqāʿī*)[122]
butcher (*jazzār*)[123]
seller of chickens (*dajājī*)[124]
cheese maker (*jabbān*)[125]

[116] On five beneficiary lists, e.g., a list of needy for whom the community helped pay the poll tax, TS 8 J 41.13v, line 7, *Med. Soc.*, 2:460, App. B 75 (1200–40), and two donor lists, e.g., two carpenters on a list of prospective donors, including "the carpenter, the son of al-Wuḥsha," a wealthy eleventh-century businesswoman, TS AS 145.9, left-hand page, line 11; the other carpenter, line 12, and his son appears also, line 22.
[117] On seventeen beneficiary lists, e.g., TS 24.76r, line 35, and verso, line 2, *Med. Soc.*, 2:439, App. B 1 (1020–40), and on nine donor lists, e.g., ENA NS 2 I.3r, line 3. The beneficiary lists include six rare appearances of a *muʿallima*, a female teacher, five of them probably one and the same woman (1107, the lists are from the same time frame and in the handwriting of the same scribe as *Med. Soc.*, 2, Appendixes 19–23).
[118] On a census of people for whom the community had to provide the poll tax, either in whole or in part: TS 8 J 41.13v, line 8, *Med. Soc.*, 2:460, App. B 75 (1200–40). On a list of about thirty-two contributors: TS NS J 315, line 25, *Med. Soc.*, 2:478, App. C 20 (late eleventh or early twelfth century). His name, Ṣadaqa the translator, is found also on a list from around the same time (ca. 1100) of contributors who pledged money for a man from Antiochia to ransom his children from captivity. Dropsie 466v, right-hand page, line 19, *Med. Soc.*, 2:507, App. C 135.
[119] On one alms lists, e.g. *TS Box K 15.48v, right-hand side, line 10 (Nathan the astrologer), *Med. Soc.*, 2:444, App. B 25, (1100–40); same list, recto, left-hand side, line 2, Sulaymān the astrologer; and on three donor lists, e.g., ENA 4100.9c, line 18 (Sulaymān the astrologer again and Abu'l-Faraj the astrologer).
[120] On four lists, e.g., a list regarding persons needing help with their poll tax, TS NS Box 226.8, lines 20–23, *Med. Soc.*, 2:453, App. B 53 (1040–80), and seven donor lists, e.g., pledges for the ransom of captives, Dropsie 466v, line 5, *Med. Soc.,* 2:507, App. C 135 (ca. 1100).
[121] Many times. Receiving wheat: TS Box K 15.30r, left-hand side, line 21, *Med. Soc.*, 2:448, App. B 35 (1160–90). On a list of contributors: *TS Box K 15.60v, line 7, *Med. Soc.*, 2:490–91, App. C 49 (first part of thirteenth century).
[122] On one beneficiary list, TS Box K 3.34, left-hand page, line 20, *Med. Soc.*, 2:445, App. B 28 (ca. 1068–1107) and one donor list, Bodl. MS Heb. e 94.22, line 17, *Med. Soc.*, 2:498, App. C 80.
[123] On a list of beneficiaries of subventions toward their poll-tax obligation ("Harūn, on behalf of Hilāl the butcher"): TS NS J 191, line 23, *Med. Soc.*, 2:441, App. B 9 (1040–60). On a list of contributors: Bodl. MS Heb. c 50.17r, line 14, *Med. Soc.*, 2:502, App. C 115 (around 1100).
[124] One alms list, TS 8 J 5.14, line 15, *Med. Soc.*, 2:448–49, App. B 36 (1182) and 3 lists of donors, e.g., *TS NS J 404, lines 8, 17, *Med. Soc.*, 2:495, App. C 66 (1238–1300).
[125] On a list of persons to whom wax candles were distributed, presumably for the upcoming holiday: CUL Or 1081 J 67, line 6, *Med. Soc.*, 2:463, App. B 89 (1200–40). On a list of

vinegar maker? (*ḥallāl*)[126]
milkman (*labbān*)[127]
glassmaker (*zajjāj*)[128]
fishmonger (*sammāk*)[129]
darner (*raffāʾ*)[130]
tailor (*khayyāṭ*)[131]
journeyman (*ṣāniʿ*)[132]
*cake master (*kaʿkī*)[133]
*sugar maker or seller (*sukkarī*)[134]
*silk worker (*ḥarīrī*)[135]
*silk worker (*qazzāz*)[136]

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contributors: CUL Or 1081 J 68, line 6, Fakhr the cheese maker, whose will was written in May, 1241, *Med. Soc.*, 2:500, App. C 89 (incorrectly cited as J 63).

[126] On two alms lists, e.g., TS Box K 15.93v, line 6, *Med. Soc.*, 2:440, App. B 6 (1040–60), and on one donor list, TS 10 K 20.1bv, line 14, ed. Mann, *Jews*, 2:291–92, cf. *Med. Soc.*, 2:480, App. C 28 (1150s). Should be written *khallāl*. See *Med. Soc.,* 1:124. Also below, note 145.

[127] On four lists, two alms lists, e.g., TS 8 J 5.14, *Med. Soc.*, 2:448–49, App. B 36 (1182), and two donor lists—e.g., TS Box K 6.177a, lines 12, 13, 19, list of persons and firms to be solicited for a public appeal, *Med. Soc.*, 2:482–83, App. C 31 (last third of twelfth century).

[128] On thirty-two lists, eighteen of beneficiaries of alms, fourteen of contributors. An example of the first: TS NS J 98v, line 4 (recipients of loaves of bread), *Med. Soc.*, 2:452, App. B 47 (1210–25). Of the second: Bodl. MS Heb. d 79.35v, right-hand page, line 17 (donors of wheat to the poor), *Med. Soc.*, 2:478–79, App. C 21 (ca. 1100). A glassmaker donated his compound to the community as a pious trust (qodesh), and it was apparently the largest such property owned by the community. See Gil, *Foundations*, 495–97.

[129] *TS Box K 15.58v, right-hand page, line 24, *Med. Soc.*, 2:495, App. C 67 (first half of fourteenth century). A "family of the seller of fish" appears on an alms list, TS Box K 3.34, left-hand page, line 1, *Med. Soc.*, 2:445, App. B 28 (ca. 1068–1107).

[130] On three donor lists, e.g., ENA 3738.11v, line 4, *Med. Soc.*, 2:503, App. C 120, and on one alms list, TS AS 145.21, line 17.

[131] On seven alms lists (e.g., ENA NS 77.93r, line 2) and on six lists of contributors (e.g., *TS NS J 404, line 7, *Med. Soc.*, 2:495, App. C 66 (1238–1300).

[132] On four alms lists , e.g., TS Box K 15.93r, line 18, *Med. Soc.*, 2:440, App. B 6 (1040–60) and three donor lists, e.g., Dropsie 467v, right-hand page, line 8, *Med. Soc.*, 2:508, App. C 136.

[133] On one alms list, TS NS Box 320.41, line 7, *Med. Soc.*, 2:460, App. B 74 (1200–40) and on five donor lists, e.g., TS AS 145.9r, left-hand page, line 25.

[134] On twenty donor lists, e.g., TS Box K 15.107, lines 25, 27, 28, *Med. Soc.*, 2:494, App. C 60 (1238–1300), and on two beneficiary lists, e.g., TS NS J 293a, recto, left-hand side, line 5, *Med. Soc.*, 2:448, App. B 33 (1139–40), list of clothing for the poor.

[135] On a list of about 105 prospective contributors, headed by the judge Yeḥiel (b. Eliakim) (dated docs. 1213–33): TS Box K 15.36v, line 7, *Med. Soc.*, 2:486, App. C 39; list of communal officials and needy families in receipt of loaves of bread: TS NS J 362, right-hand column, line 7, *Med. Soc.*, 2:455, App. B 61 (1100–50). Out of about twenty lists, more harīrīs appear as benefactors than as beneficiaries.

[136] On thirteen donor lists, e.g., TS Box K 15.36v, line 11 (two silk weavers, the chief, and his "boy"), *Med. Soc.*, 2:486, App. C 39 (ca. 1213–33), and on a single alms list (a weaver listed with his wife), TS NS Box 320.41r, left-hand page, line 20, *Med. Soc.*, 2:60, App. B 74 (1200–40).

*dyer (*ṣabbāgh*)[137]
*dyer of purple (*arjawānī*)[138]
*banker/moneychanger (*ṣayrafī*)[139]
*money assayer (*naqqād*)[140]
*perfumer or druggist (*ʿaṭṭār*)[141]
*goldsmith or silversmith (*ṣāʾigh*)[142]

The Nonpoor

Some professions occur *only* on lists of contributors. These people belong to the nonpoor. The ones who, it can be safely surmised, possessed some considerable wealth were the merchants, the big bankers in the service of the government, the tax farmers, the brokers, the purveyors of gold and silver to the mint, the government clerks, and the doctors. Probably well-to-do, too, were the preparers or sellers of potions, who were affiliated with the medical profession. It is not surprising to find people in the "food industry" (greengrocers, bakers, millers, salesmen of food delicacies) or clothiers and weavers among the nonpoor, for their products and services were always in demand, even in times of dearth, and they naturally did not experience poverty.

[137] On twenty-seven beneficiary lists, e.g., a list of recipients of poll-tax subsidy, TS AS 149.15, line 9; on 46 lists of contributors, e.g., a list of contributors containing seven dyers. *TS Box K 15.61, *Med. Soc.* 2:486–87, App. C 40.
[138] On seven donor lists, e.g., Bodl. MS Heb. e 94.21, line 12, *Med. Soc.*, 2:476–77, App. C 15 (late eleventh or early twelfth century), and on one alms list: TS Box K 15.66, line 6, *Med. Soc.*, 2:440, App. 4–5, (1040–60).
[139] On about forty-five donor lists, e.g., ENA 4100.9c, lines 7, 9, 19, 20, 22 (five different people) (first third of eleventh century), and five beneficiary lists, e.g., TS Box K 15.93r, line 12, *Med. Soc.*, 2:440, App. B 6 (1040–60). Sometimes spelled *ṣārafī*.
[140] On ten donor lists, e.g., TS Box K 6.177c, lines 11, 13, 15, *Med. Soc.*, 2:482–83, App. C 31 (last third of twelfth century), and one lone alms list, TS NS J 239v, lines 7 and 8 (the same person twice), *Med. Soc.*, 2:462, App. B 83a (1200–40).
[141] On forty-seven lists, the vast majority of them lists of contributors, e.g., a list of names prepared for solicitation: TS Box K 3.6, line 4, *Med. Soc.*, 2:493, App. C 58 (1237?); the five perfumers on one list, Goitein surmises to be names of collectors of weekly alms (collectors of alms were from the better-off class). TS Box K 15.43, *Med. Soc.*, 2:494–95, App. C 62 (1238–1300). In one of the beneficiary lists (a payroll to communal functionaries), the perfumer is identified explicitly as a collector, not a recipient (possibly "perfumer" refers to his father), TS Box K 15.63, line 21, *Med. Soc.*, 2:451, App. B 42 (1210–25).
[142] On twenty-eight lists, twenty-five of them lists of contributors, e.g., Westminster College, Arabica 1.53v, right-hand page, line 5 (list of contributors), *Med. Soc.*, 2:503, App. C 117 (ca. 1235). One of the three beneficiary lists (a distribution of wheat) is an exception proving the rule of preponderance of goldsmith donors because the goldsmith in question is numbered among refugees from Europe (Rūm), *TS Box K 15.113, line 9, *Med. Soc.*, 2:444, App. B 26 (1100–40).

greengrocer (*baqqāl*)[143]
wax maker (*shammāʿ*)[144]
vinegar maker (*khallāl*)[145]
distributor of gallnuts (*ʿafṣī*)[146]
meat seller (*laḥḥām*)[147]
salesman (*bayyāʾ*—mainly of food delicacies)[148]
baker (*khabbāz, farrān*)[149]
miller (*ṭaḥḥān*)[150]
seller of honey (*ʿassāl*)[151]
clothier (*bazzāz*)[152]
fuller (*qaṣṣār*)[153]
weaver (*ḥāʾik*)[154]
dealer in sal ammoniac (*nashādirī*)[155]
maker of beads (*kharazī*)[156]

[143] On a list of contributors to a pesiqa (*thabt al-pesiqa*), or pledge drive: ENA 4100.9c, line 16, and on many other donor lists.
[144] On two donor lists, e.g., TS 10 J 26.13v, left-hand page, line 6, *Med. Soc.*, 2:485, App. C 35 (last third of twelfth century).
[145] On one donor list: TS Box K 15.18v, line 5, *Med. Soc.*, 2:496, App. C 69 (1335).
[146] On three lists of donors, e.g., TS Box K 15.106, line 5, *Med. Soc.*, 2:477, App. C 16 (third quarter of the eleventh century).
[147] On one donor list, TS NS J 330, line 13, *Med. Soc.*, 2:497, App. C 74.
[148] On a list of unpaid pledges, headed, "Still owed by the people": *TS NS J 76v, right-hand side, line 17, *Med. Soc.*, 2:499, App. C 87, and on many other lists of contributors. Cf. *Med. Soc.*, 1:152.
[149] On five lists of contributors, e.g., TS NS J 330r, left-hand page, line 3, *Med. Soc.*, 2:497, App. C 74 (fourteenth or fifteenth century).
[150] On four lists of donors: e.g., pledges for the poor on a Sabbath in October 1335: TS Box K 15.18, line 25, *Med. Soc.*, 2:496, App. C 69; two saffron millers on a list of persons who had not yet made good their pledges: *TS NS J 76v, right-hand page, line 21, *Med. Soc.*, 2:499, App. C 87 (ca. 1220).
[151] On two donor lists, e.g., ENA 2591.9, line 2, *Med. Soc.*, 2:504, App. C 125.
[152] Three clothiers, two of them listed one after the other, among 127 persons, households, or firms making pledges, apparently toward the weekly dole of alms for the poor and for paying communal officials: Bodl. MS Heb. c 28.47v, right margin and recto, left-hand column, line 7, ed. Asthor, *Zion* 7 (1942), 140–45 with many corrections by Goitein in *Med. Soc.*, 2:488–90, App. C 46 (early thirteenth century); and on many other donor lists.
[153] On one donor list, ENA 2348.2, line 2, *Med. Soc.*, 2:505, App. C 129 (fourteenth century or later).
[154] Bodl. MS Heb. d 79.35v, right-hand page, line 2, *Med. Soc.*, 2:478–79, App. C 21 (ca. 1100).
[155] On three donor lists, e.g., TS NS J 205, line 6, ed. Ashtor, *Mamluks*, 3:139–40, *Med. Soc.*, 2:496–97, App. C 70 (fourteenth century).
[156] On two donor lists, e.g., TS Box K 6.149, right-hand page, line 2, *Med. Soc.*, 2:481–82, App. C 30 (1150s).

net maker (*ghuzūlī*)[157]
merchant (*tājir*—a name designating big merchants)[158]
head of the money assayers (*ʿarīf al-naqqādīn*)[159]
banker in government service (*jahbadh*)[160]
broker (*dallāl, dallāla*)[161]
government clerk (*kātib*)[162]
government workshop employee (*mustaʿmal*)[163]
tax farmer (*ḍāmin*)[164]
supplier of precious metals to the mint (*mūrid*)[165]
phlebotomist (bloodletter) (*fāṣid*)[166]

[157] On four donor lists, e.g., TS Box K 6.177a, line 12, *Med. Soc.*, 2:482–83, App. C 31 (last third of the twelfth century).
[158] "List of contributions of wheat for the [poor], may God make them rich" (*thabt qamḥ al-[ʿaniyyim] aghnāhum allāh*), ca. 1100: TS AS 145.21, right-hand page, line 19, and in many other donor lists. On the other hand, we encounter "the wife (*zawja*) of Wafāʾ the merchant" on a survey of households deemed eligible for the weekly dole of bread. TS NS Box 320.41v, right-hand side, line 24, *Med. Soc.*, 2:460, App. B 74 (1200–40). We may speculate that, owing to the absence of her husband (if he were dead she would probably be called *armala* or *imraʾa/marʾa*; see chapter 5), she needed help from the community. This would be a kind of conjunctural poverty.
[159] In one donor list, Bodl. MS Heb. c 28. 47r, margin, ed. Asthor, *Zion* 7 (1942), 140–45; cf. *Med. Soc.*, 2:488–90, App. C 46 (early thirteenth century); *ʿarīf*s (presumably also head assayers) occur on two other donor lists.
[160] Two jahbadhs on a list of notables solicited for pledges (one pledging the considerable sum of five dinars): ENA 2591.1, lines 3 and 7, *Med. Soc.*, 2:504, App. C 124 (ca. 1090). A man nicknamed, sarcastically, "the little jahbadh" (al-juhaybadh), appears on a list of persons making partial payment of their poll tax, communal charity making up the balance (TS Box K 15.14v, line 12, *Med. Soc.*, 2:440, App. 4 [1040–60])—"a person bragging about this office where it did not amount to much," Goitein observes (*Med. Soc.*, 1:249). "Ṣadaqa *the son of* Joseph the jahbadh" is listed in a another list of beneficiaries of subsidies toward the payment of their poll tax: TS Box K 15.96v, right-hand page, line 8, *Med. Soc.*, 2:441, App. B 8 (1040–60).
[161] On six lists of contributors, e.g., BM Or 5549.5v, line 17, *Med. Soc.*, 2:479, App. C 23 (1140s).
[162] On seven lists of contributors. Actually, only three persons. We would expect more, but government clerks, living mainly in New Cairo, where the government sat, naturally appear but rarely as donors of charity in Fustat. E.g., ENA 3738.11v, line 15, *Med. Soc.*, 2:503, App. C 120 (ca. 1100).
[163] On three donor lists, e.g., a list of people to be solicited for a public appeal, including four *mustaʿmal*s grouped close together, TS Box K 6.177b, lines 10, 15, 16, 17, *Med. Soc.*, 2:482–83, App. C 31 (first third of eleventh century).
[164] On one list of contributors (of wheat), TS AS 145.21r, left-hand page, line 6.
[165] On seven lists of contributors, e.g., TS Arabic Box 54.21, lines 1 and 2 (two different *mūrid*s), *Med. Soc.*, 2:480, App. C 27 (1140s).
[166] Once on a donor list, TS NS J 416, margin, *Med. Soc.*, 2:485, App. C 34 (last third of the twelfth century).

physician (*ṭabīb, mutaṭabbib, rofeʾ*, or bearing the title *ḥakīm*)[167]
preparer or seller of potions (*sharābī*)[168]
oculist (*kaḥḥāl*)[169]
agent (*wakīl*)[170]

This taxonomy of the poor, nonpoor, and floaters in between can be roughly correlated with the picture of non-Muslim class differentiation portrayed in the early book on taxation *Kitāb al-kharāj*, by Abū Yūsuf (d. 798). Discussing the graduated poll tax of 12-24-48 dirhems, which he recommends that his patron, Caliph Hārūn al-Rashīd (786–809), apply to Iraq, Abū Yūsuf states that the lowest rate was to be paid by "those who work with their hands, such as the tailor, the dyer, the shoemakers (*al-iskāf waʾl-kharrāz*),[171] and the like." From the wealthiest, "such as the banker, the clothier, the estate owner (*ṣāḥib al-ḍayʿa*), the merchant, and the healer and the physician (*al-muʿālij al-ṭabīb*), and all who practice a professional craft (*ṣināʿa*) or commercial trade (*tijāra*)," forty-eight dirhems should be collected. Finally, in the "middle" category Abū Yūsuf numbers those who should pay twenty-four if the income from their occupation is not sufficient to pay the higher rate, otherwise the full forty-eight.[172] This in-between group would roughly correspond to those in our own middle category, who appear sometimes as givers and sometimes as takers.

[167] On about thirty-five lists of contributors, for example, a list of donors of wheat. *TS 8 J 13.14v, line 5, *Med. Soc.*, 2:490, App. C 48 (early thirteenth century) (donation of one *wayba*, about fifteen liters, costing from one to two dinars, depending on supply, and consisting in about 1/72 of an average middle-class family's annual need; see chapter 6). "The elder Abū Yaʿqūb al-ḥakīm," appears on several of the lists, e.g., TS Arabic Box 51.140r, right-hand page, line 4, *Med. Soc.*, 2:498, App. C 79 (ca. 1095). He was a prominent representative of the merchants (see *Med. Soc.*, Index volume, s.v. and also s.v. Jekuthiel b. Moses ha-rofe), and Goitein thought the title might be a family name, rather than the designation of his own profession (see *Med. Soc.*, 1:447n23). Many lists have several doctors.

[168] On twenty-two donor lists, e.g., (four of them) *TS Box K 15.61, lines 9, 11 and verso, line 7. In one list we find a physician who also made potions, TS AS 151.5v, line 5 (*al-ṭabīb sharābī*).

[169] On five donor lists, e.g., Bodl. MS Heb. b 13.55v, line 3, *Med. Soc.*, 2:496, App. C 68 (fourteenth century).

[170] On two donor lists, e.g., TS NS Box 246.26 (12), line 27, ed. Allony, *Sefunot* 8 (1964), 129–37 (correct shelfmark there), *Med. Soc.*, 2:480. App. C 26 (ca. 1142), a list of persons and their titles, to be used by the cantor when lauding their contributions to public appeals in the prayer in the synagogue.

[171] In a Geniza document, these two words for "shoemaker" are found, along with a third, *ḥadhdhāʾ* (as in the list above). *Med. Soc.*, 1:422n81.

[172] Abū Yūsuf, *Kitāb al-kharāj* (Cairo, 1392/1972), 133–34.

Class Differentiation and the Conjuncturally Poor from "Good Families"

We have already seen many Geniza letters mentioning needy who come from "good families." We noted that this is anticipated by the midrash, which contrasts the chronic poor with those from "good families" who fall from their wealth and are "too ashamed to take." The expression "good families" appears in rabbinic texts in the form *ben/bat/benei ṭovim*, "men/women from a good family," and *ben/benei avot*, "from good families." A rabbinic paradigm of the person belonging to the "good families" is found in the story of the rich man who lost his wealth, for whom Hillel the Elder provided a horse and a manservant as charity, which was what the man was accustomed to and so was needed to provide him with enough to cover his deficiency.[173] This anecdote was adopted, as we have seen, by Maimonides as one of the laws of the poor in the Mishneh Torah.

The "good family" motif in the Geniza illustrates an important feature of poverty and class difference—the potential for poverty to blur the distinction between people from the underclass and those ranking above them in social status. We begin with examples depicting well-to-do households. We recall, for instance, how the judge of Ascalon, Nathan ha-Kohen b. Mevorakh, commended a needy person as "a good man and worthy, crowned with humility, a modest person, from a good family (*mi-benei avot*) of noteworthy householders whose table was always set and whose houses were always wide-open." Status is echoed, too, in the description of the ashamed Yefet, burdened by family and debt, about whom his intercessor writes "you can tell from his demeanor that he comes from a good family" (*min baʿalei battim*).[174] Using an Arabic equivalent, a petitioner on behalf of a long-distance trader, an Iraqi merchant who had lost everything in a shipwreck, emphasizes that "he belongs to one of the most illustrious families" (*min ajillāʾ al-buyūt*).[175]

Status is regularly invoked by members of the "good families" caught in the vortex of sudden indigence. Joseph b. ʿAllān from Alexandria, down-and-out, with a huge family of nine, exploits his standing in order to capture the attention of his illustrious addressee, the judge and jurisconsult and father-in-law of Abraham Maimonides, Ḥananel b. Samuel (dated documents: 1223 to ca. 1249). He solicits the judge's help in claiming his share of his late brother's estate. "I am from a good family

[173] Tosefta Pe'a 4:10, BT Ketubbot 67b, and elsewhere.
[174] *TS 10 J 13.13, lines 11–12. His demeanor: *aḥwālihi*. Another passage from this letter is quoted above, page 47.
[175] TS 13 J 17.20, line 5; cf. *Med. Soc.*, 1:409n7.

(*mi-benei ṭovim*); my father is one of the India traders, and God favored us. Your father knows my father and brother, Futūḥ, who recently went on a journey to Yemen and died on shipboard."[176] Invoking his status, a foreigner from a Christian land,[177] sojourning, apparently, in Fustat and separated from his wife and children, reports that he had been treated rudely by the local community. He appeals for aid from a private benefactor so he can return to his family and then proceed to Jerusalem. "Even though I am not worthy," he writes, "I am from a good family and high-born (*mi-benei ṭovim umi-benei genesin*)."[178] Shame led people from the higher rungs of society to seek private, rather than public charity when they fell into indigence. When, on rare occasion, we encounter an unnamed "person from a good family" on an alms list we should imagine that he or she wished through anonymity to protect his or her stature and limit the shame felt at being on the public dole.[179]

Illustrating the point that poverty was more economic than social, we also find the "good family" attribute describing people from the less wealthy classes of Jewish society, even from among the "working poor." Thus, a letter evidently from the office of Joshua Nagid (d. 1355) recommends "Yom Ṭov, who is poor and from a good family. His own family is poor (lit. weak)."[180] Similarly, in another late letter, a writer refers to himself as a poor scholar from a "good family," serving as judge (*ḥakham*) in a small town, with only a few people (Jews) living in it.[181]

Illustrating the thin boundary between the "good families" and the working poor is the following anecdote. A man of little means, a silk weaver and a member of the pietistic circle of the nagid Abraham Maimonides, married a penniless orphan girl "for the sake of God and not for physica[l] (meaning sexual) reasons." He outfitted her with clothing, for she had nothing to wear, and footed the expense to bring her, her father, and the latter's wife to al-Maḥalla, where the wedding was to take

[176] *TS 10 J 17.4, lines 8–11, trans. into Hebrew, Goitein, *Tarbiz* 50 (1980–81), 377–78.
[177] "It is three years since I left my home, leaving my wife and sons in great distress, in the hands of Christians (lit., uncircumcised ones)." Indications suggest that we are dealing with a Jew, probably from a Christian land (Byzantium?), whose family had been captured by Crusaders.
[178] Westminster College, Fragmenta Hebraica Cairensia Miscellania 39, lines 22–23, ed. Scheiber, *Geniza Studies*, Hebrew section, 83–84 (from the Greek, γενέσια). Queen Esther is called *bat ṭovim u-vat genesin* in Pesikta de Rav Kahana, ed. Bernard Mandelbaum (New York, 1962), 1:101 (with note), (parashat ha-ḥodesh ha-zeh, par. 11).
[179] A *ben ṭovim* heads a list of about eighty-five households eligible for assistance: *TS Box K 15.102, *Med. Soc.*, 2:446, App. B 31 (1100–40). Cf. *Med. Soc.*, 1:77 and 409n7 (he "would not lose face, even if personal misfortune deprived him of the material well-being normally enjoyed by the respectable familes"). A *bat ṭovim* is listed anonymously in first place in a "record of the list of the poor": TS NS Box 320.30, *Med. Soc.*, 2:456, App. B 63 (1100–50).
[180] *TS 8 J 13.23, summarized briefly by Goitein, *Tarbiz* 54 (1985), 85.
[181] TS 13 J 9.12, ed. Ashtor, *Mamluks*, 3:28–32; corrections by Goitein, *Tarbiz* 41, 77–79.

place. Cash the nagid had earlier given him to travel to the countryside was running out. He didn't have enough for his immediate subsistence and needed money to purchase the tools of his craft. He is worthy of charitable aid, the letter-writer says, "firstly, because he is from a *good family* and secondly, because he studies (lit. "tastes") the Torah and applies himself as the Creator, the ex(alted), desires, and also has great piety."[182] Piety and learning, along with a respectable family lineage gave this man status, which his economic poverty did not efface. A member of the "working poor" is described as belonging to "the good families" (*ahl al-buyūtāt*) in a letter of the judge Nathan ha-Kohen b. Solomon (second quarter of the twelfth century). He recommends the man for charity because for a long time he had managed to earn a living (he was mastūr) in the Rīf (the Egyptian countryside), and now was a refugee in Fustat, with a family "naked and hungry."[183]

More often than not the good families, boasting good lineage or some other social merit, belonged to the nonpoor. But poverty knew no social barriers, which is why we find such people often seeking charity. On the other hand, poor people with prestige, for instance prestige connected with learning, could also merit a place among the "good families." Though economic condition formed the most common divider between the underclass and those above them, other factors could actually bridge the gap between people on different rungs of society.

The rosters of recipients and benefactors analyzed above illustrate another important "statistical" datum—so to speak, the other side of the coin. If people practicing the lowliest of occupations—the water carriers, the grave diggers, the blacksmiths, the porters, the doorkeepers, and their like—do not appear as contributors, the occupational range of the givers of charity in the Jewish community is impressively wide. Even if they gave only trifling sums, people of even modest means gave to welfare. The high value placed on giving reverberates, too, in some of the letters of the conjunctural poor, who assure their would-be benefactors that they were once (and normally) among the givers and not the takers, or that, as members of the "good families," formerly their "table was always set and their houses were always wide-open." Such sentiments have an almost formulaic character, and, indeed, they represent one of the many rhetorical strategies these desperate people used. But they also mirror social expectations, and that in itself says something about the value this society placed upon charitableness.

Arising in the first instance out of a sense of religious duty, charity was also fostered by, and in turn fostered, ethnic and religious solidarity, as

[182] TS 12.289, ed. Goitein, *Tarbiz* 33 (1963–64), 189–92 (first third of thirteenth century).
[183] TS 12.789, lines 13–15.

people from the top and middle of society, even from economically borderline occupations, gave together, often pledging their gifts at one and the same synagogue gathering. In this respect, the charitable enterprise, particularly its public aspect, acted as one of the most important social agglutinates of the autonomous Jewish community in the Islamic world.[184]

A Comparison between Judaism and Christianity

We come, finally, to a comparative observation about Jewish and Christian poverty that emerges from what has been said so far. In Europe, Bronislaw Geremek states, those embarrassed by sudden deprivation, the "shamefaced poor," as they were labeled in England,[185] usually belonged to the middle and upper classes. Victims of conjunctural rather than of structural poverty, those who plunged into financial stress also lost social status. For that reason, they frequently remained at home and suffered deprivation privately, rather than show it in public. On the other hand, for the vast mass of Christian working poor, who lived constantly on the margins and carried a low social status, periodic or even frequent recourse to charity did not normally entail a loss of dignity and hence did not bring shame.[186]

Others have pointed to the occasional downward extension of the shamefaced poor in Europe.[187] The Jewish case studied here also points to such a broadening of the social range of this category. This may, however, be peculiar to the Jewish situation. In the Jewish world of the Geniza

[184] Just how central charity could be in the social definition of a Jewish community is illustrated from a later period by the Portuguese community of Bordeaux, France, in the early modern period, which, like the resettled Sephardic communities in London and Amsterdam, used the term *sedaca* as a synonym for the community as a whole (the "Nation"), and understood by that a broad range of services to its members of which charity was just one part. See Simon Schwarzfuchs, ed. *Le registre des deliberations de la nation juive portugaise de Bordeaux (1711–1787)* (Paris, 1981).

[185] In Italy they were called *poveri vegognosi*, and in Spain in the sixteenth century, *envergonzantes*, and intervention of members of confraternities was necessary to bring them (discreetly) charitable assistance; Brian Pullan, *Rich and Poor in Renaissance Venice: The Social Institutions of a Catholic State, to 1620* (Oxford, 1971), 268–70, and index s.v; Martz, *Poverty and Welfare in Habsburg Spain*, 9, 206.

[186] Geremek, *Poverty: A History*, 39–40; cf. 24 and 60.

[187] In Iberia, in the later Middle Ages, the shamefaced poor included the sick, orphans, widows, unmarried women, and captives (Jarbel A. Rodriguez, "Prisoners of Faith: Christian Captives in the Later Middle Ages" [PhD diss., Princeton University, 2001], 183). At times in Catholic Italy in the early modern period, respectable artisans were considered part of the shamefaced poor. See Brian Pullan, "Charity and Poor Relief in Early Modern Italy," in *Charity, Self-Interest and Welfare in the English Past*, ed. Martin Daunton (London, 1996), 67; idem, "Support and Redeem: Charity and Poor Relief in Italian Cities from the Fourteenth to the Seventeenth Century," 185.

the social gap between the rich and the working poor was narrower than among Christians in Europe. A Jewish landed "nobility," in the sense understood in European feudal culture, did not exist in the essentially urban society of Mediterranean Islam. What there was of an "upper class" consisted of the small group of wealthy people connected with the government, the notables or courtiers (*sarim* in Hebrew, *ru'asā'* in Arabic), consisting of officials serving in the bureaucracy, as well as the prominent physicians (usually also courtiers), the chief judges, and the big merchants.[188] The social boundaries between these persons of wealth and prestige, on the one hand, and, on the other, the more numerous members of the moderately prosperous bourgeoisie, the artisanry, both master craftsmen and the less skilled laborers and communal functionaries belonging to the working poor, were quite permeable. As our taxonomy has shown, many people "floated" between the underclass and the nonpoor, depending upon economic circumstances. Moreover, most (most males, at any rate) were literate, unlike their counterparts in Christendom, and many of them possessed the ability to study advanced Jewish texts. Where they possessed learning and/or religious piety, they were as likely as the rich to belong to respectable ("good") families.

Thus, special circumstances may underlie the apparently more common downward extension of the shamefaced poor in the Jewish world of the Geniza, compared to European Christendom. The Jewish working class and persons in the employ of the community, people who much of the time lived just above the poverty line, experienced as much shame when they slipped into indigence as the more affluent segments of society—those who "fell from their wealth," in the language of rabbinic literature and of the Geniza letters. Judaism's idea that poverty is a misfortune no matter whom it afflicts similarly broadened the range of those who felt ashamed of their indigent condition. At the same time, paradoxically, the enlargement of the circle of the shamefaced poor tended to create social proximity between people of different classes. This proximity was enhanced by the reality that poverty and the definition of the underclass were primarily economic. A Jew even in a menial occupation could, through economic improvement or economic self-sufficiency, move into the ranks of those with higher social status, and this would be evident when such a person became a "giver" to charity rather than a "taker." This greater solidarity between rich and poor in the Jewish community, compared with the larger gap in Christendom, might have militated against certain kinds of separation between deserving and undeserving poor, one of the issues we will examine in the next chapter, in connection with the foreign poor.

[188] *Med. Soc.*, 1:75–77; Cohen, *Jewish Self-Government*, 166–68.

Chapter Two

THE FOREIGN POOR

> I heard, my brother, what happened to you at sea. May God be with you, my brother, in accordance, my brother, with the many prayers I invoke for you. May He look out for you, being a foreigner (*fi'l-ghurba*), and be with you and me, and may He look out for all your affairs. Do not be stingy with me, my brother, because I would not be pressing family except at a time like this when I, my brother, am in a foreign country (*fī balad al-ghurba*) without a dinar or dirhem.
>
> —A Yemenite Jew, a newcomer to Fustat suffering from poverty, writing to his brother in Alexandria for help.[1]

Needy Jewish Foreigners in Medieval Egypt

NOT SURPRISINGLY, foreigners swelled the ranks of the indigent in medieval Egypt. Like the writer of the letter quoted above, most of these people had left families back home and lacked in their new locale that most important source of succor in tradi-

[1] TS 12.13, lines 11–14. The letter is a kind of palimpsest and difficult to decipher because the text beneath shows through quite prominently. The expressions *fi'l-ghurba* and *fī balad al-ghurba* are spelled with an *alif* at the end in place of *tā' marbūṭa*, as in other places in this letter and commonly in Judaeo-Arabic. In the first instance, I understand ghurba as "the state of being foreign (or a stranger)." This meaning is clear in GW 9r, margin, "may God the exalted bring you relief *fī ghurbatika*, in your state of being a foreigner" (the root of the word was misunderstood by the translators Richard J. H. Gottheil and William H. Worrell, *Fragments from the Cairo Genizah in the Freer Collection* [1927. Reprint New York, 1972], 55, and corrected by Joshua Blau, *Ha-sifrut ha-ʿaravit ha-yehudit: peraqim nivḥarim* [Judaeo-Arabic Literature: Selected Texts] [Jerusalem, 1980], 273). Cf. also *rūḥī fi'l-shidda wa'l-ghurba wa'l-wuḥda*, written to a father by a man away from his home; ENA 2808.17v, lines 2–3. Cf. also *fī balad gharīb*, which Goitein translates "in a town where I was a stranger"; *Med. Soc.*, 3:197 (TS 13 J 8.19). Also ibid., 5:26 ("feeling as a stranger") and 511n77. Reflecting the sentiment of a foreigner, a wandering scholar writes to his kinsmen in his native Egypt: "In spite of my blindness and weakness, which afflicted me in this foreign place (or: this state of being a foreigner) (*fī hādhā al-ghurba*), I have not perished, for my situation is very good, praised be God, who assures me sustenance through his kindness"; TS Arabic Box 53.37, lines 5–8, ed. Goitein, "The Jewish Communities of Saloniki

tional societies, the kinship group. To be separated from home and family meant to be especially vulnerable to destitution. An impoverished Jew, who had been sojourning in an Egyptian locale for two years seeking repayment of a debt, put it colorfully: "You know that I am alone and poor, here in the land of my exile, with neither relative nor friend—alone am I among them, 'like a tamarisk in the desert'" (Jeremiah 17:6).[2] The same worry is expressed (four times!) by a woman staying in Bilbays, northeast of Cairo, "helpless (*muḥayyira*) in a foreign city." She had no local family and no one there who would come to her aid.[3] The woes of being a foreigner are expressed vividly, too, in a prayer at the close of a letter written by the nagid Joshua Maimonides (d. 1355) on behalf of a needy traveler. It asks God on behalf of the would-be benefactors (the community of Fustat) "not to scatter you from your homelands."[4] This sentiment crops up even more dramatically as a theme in a huge formulary letter of recommendation for foreigners. In addition to elaborate phrases of gratitude, the missive describes a famine "that impoverished the rich, humbled the strong and cast out people from their homelands, causing them disquiet, scattering them and destroying their unity (with family), sending them far away from their homelands and from the sight of their children."[5]

Sitting at a major crossroads in the Islamic world, Egypt attracted Muslims, Jews, and Christians from all over the Mediterranean, the Islamic east, and the European world. They came to the capital from all over the country as well. It can be no exaggeration when a memo to the

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and Thebes in Ancient Documents from the Cairo Geniza" (Hebrew), *Sefunot* 11 (1971–77), 11–22. See also a letter from an India trader to a friend, expressing, among other things, his loneliness due to their separation; ENA 2560.193, line 14 (*anā fi'l-ghurba wa-ḍīq al-ṣadr wa'l-wuḥda* ["I am a foreigner, anxious, and alone"] and again, verso, line 4, *min shiddat al-ghurba*) (this letter was the centerpiece of a seminar paper by my student Judith Shapero, in the fall of 2000); and *li-ghurbatī wa-li-wuḥdatī*, written by a foreign widow in Alexandria, TS NS J 36v, line 12. My student Roxani Eleni Margariti, now teaching at Emory University, suggested to me that the Arabic usage in the letter quoted above might parallel Greek *xeniteia*. The second instance in our letter is similar to the expression *f[ī] balad al-ghurba* in TS 10 J 10.14, ed. Ben-Sasson, *Yehudei siṣiliya,* 22–24 (cf. *Med. Soc.*, 1:314): "I remained *in a foreign country* without a dinar or dirhem." It is possible to read *ghurabā'* in the second instance above and hence, "in a city of foreigners," but the letter-writer's point would not be changed.

[2] Dropsie 386, lines 2–3, ed. Mann, *Texts*, 1:459–60.

[3] TS 8 J 33.8, lines 5, 6, 12, and verso, lines 1–3; cf. *Med. Soc.*, 4:355n138.

[4] *Lā yushattitukum min awṭānikum*, TS NS J 258, line 14, trans. Goitein, *Tarbiz* 54 (1984–85), 84. The poet Judah ha-Levi asks his Egyptian friend, the Mediterranean trader Ḥalfon b. Nethanel, to assist an unfortunate man, the bearer of his letter, who had fallen from his wealth and, among other things, was "far from family and homeland" (*buʿd al-ahl wa'l-waṭan*), TS 10 J 15.1, ed. Goitein, *Tarbiz* 25 (1955–56), 405–406.

[5] TS Box H 3.81r, left-hand page, lines 24–26: *afqarat al-aghniyā' wa-adhallat al-aqwā' wa-hajjajat* (read: *hajjarat*) *dhawī al-awṭān min mawāṭinihim wa-balbalathum wa-shattatat shamlahum wa-abʿadathum ʿan mawāṭinihim wa-naẓar awlādihim*. I assume that the word *hajjajat*, is a dittographic mistake for *hajjarat*.

Egyptian government concerning poll-tax payments of the poor (hence written in Arabic characters) informs the authorities that the indigents are equally divided between natives of the capital and residents from outside. The outsiders are all Jews from other cities and regions in Egypt.[6]

Naturally, Alexandria, the main seaport, and Fustat, the main riverport and hub of the country, saw vast numbers of foreigners enter their gates. But the Egyptian countryside abounded in foreigners, too. The influx of Jewish newcomers to all parts of Lower Egypt expressed itself, among other ways, in the preponderance of foreigners in positions of intellectual and judicial leadership in the capital, in Alexandria, and in the countryside.[7] Maimonides, the most illustrious immigrant serving the community in the twelfth century, had his counterparts in the eleventh. Beginning in the second half of the eleventh century, nearly all the chief communal personalities in the Egyptian capital were newcomers or descendants of recent immigrants, and this had seminal significance for the transfer from Palestine to Egypt of Jewish central self-government at that time.[8] We may surmise, too, that attitudes toward the foreign poor at least among the immigrant leadership in Fustat were influenced by their own initial experience as newcomers.

The foreign Jewish presence in Egypt and in Fustat, in particular, was not restricted to judges and celebrated scholars. Elementary school teachers, for example, were to a large extent recruited from the ranks of newcomers, whether refugees from war or from persecution or others who, for one reason or another, had lost their livelihood. A schoolmaster from Algeria living in the provincial town of Ṣahrajt, Egypt, writes that every year he had to have a pledge drive (spelled *baṣīqa*, reflecting Arabic pronunciation of the "p") organized for him in Fustat, but the people there, he laments, do not give "for heaven's sake" but only to gain notoriety.[9] Immigrant teachers also crop up frequently on the Geniza alms lists.[10]

[6] TS Arabic Box 38.95, ed. Geoffrey Khan, *Arabic Legal and Administrative Documents in the Cambridge Genizah Collections* (Cambridge, 1993), 493–95. Discussed by Goitein, *Med. Soc.*, 2:468, App. B 110.

[7] See, for example, the list of scholars, in Fustat (Old Cairo) and in (New) Cairo, who received salaries from the community. Foreigners are, in Fustat: Nahray b. Nissim (originally from Qayrawan), "the cantor from Baghdad" (namely, Hillel b. Eli), Joseph from Damascus, Joseph from Rūm, and among other cantors, Abū Saʿd from ʿUkbara (in Iraq), one from Ascalon, one from Acre (he was also a teacher), and one from Rūm; and serving in Cairo: the judge (dayyan) from Baghdad, the son of the Venetian, and the cantor from Jūsh. Bodl. MS Heb. c 28.6, ed. Mann, *Jews*, 2:246 (with a few errors).

[8] Cohen, *Jewish Self-Government*, 84–98.

[9] TS NS J 35, partly trans. Goitein, *Sidrei ḥinnukh bi-mei ha-geonim u-veit ha-Rambam* (Jewish Education in Muslim Countries, Based on Records from the Cairo Geniza) (Jerusalem, 1962), 78. Cf. *Med. Soc.*, 2:106–107, 188. Notoriety: *ʿalāna*.

[10] *Med. Soc.*, 2:188.

Many of the European Jews in the Geniza, whether they resettled in Egypt or the Holy Land, experienced economic hardship, either before leaving their homelands or after their long journeys.[11] The phenomenon of the itinerant poor is echoed poignantly in the torn opening lines of a letter referring to a "young man (or factotum, *ṣabī*) from Persia [and] others of his kind *from the poorest of the poor who arrive in this city*."[12]

Egyptian Jewry, and especially the Jewish population of Fustat, was reputed for its munificence. Thus the destitute particularly targeted that city. Letters of the poor or missives interceding on their behalf and mentioning the generosity of the Jews of Fustat abound. An ailing cantor in a small town, applying to the head of the Jews in the Egyptian capital, describes his woes and exhorts his would-be benefactor: "I ask your lofty excellency to help me and attend to my situation just as you tend to the situation of foreigners, proselytes, and captives."[13] Another suppliant exhorts his addressee to charity with the plaudit, "your munificence to foreigners is great."[14] Yet another cites "two reasons" for writing to the addressee, the first of which is "his reputation for munificence and kind acts."[15] Partly this was an exercise in the rhetorical strategy of persuasion. But it also reflected social expectations. From all the Geniza evidence before us, Fustat Jewry fit the description. The Muslims of Fustat, too, were renowned for their munificence, and perhaps in this, Goitein suggests, the Jews competed with the majority society.[16]

When Hebrew is the language of a letter of appeal it is frequently the case that the writer hailed from a Christian land. But other indications must be present to be absolutely certain. For example, a blind man with four souls dependent upon him betrays his European provenance by his

[11] See Alexandra Cuffel, "Call and Response: European Jewish Emigration to Egypt and Palestine in the Middle Ages," *Jewish Quarterly Review* 90 (1999–2000), 61–102, esp. 65–77. The writer of the Hebrew letter, *TS 8 J 21.6 (ed. Mann, *Jews*, 2:104–10), was probably a foreigner. He states: "Many scholars have come here from the Land of Edom (Europe) and from the Land of Israel. Let me be like one of them among my people." The indigent scholar from Jerusalem who carried the Hebrew letter of appeal, *TS 6 J 3.1, with him, filled in the name of the addressee in a blank space left for the purpose (the name is written in a different handwriting from the rest of the letter). Obviously, he had no idea to whom to appeal until he reached his destination. The letter was published by S. Assaf and L. A. Mayer, eds., *Sefer ha-yishuv*, volume 2 (Jerusalem 1944), 2:31 , where it is wrongly marked 6 J 31, and re-edited by Gil, *Ereṣ yisrael*, 2:621.

[12] TS 10 J 16.3 (*min aqall al-ʿaniyyim al-wāridīn ilā hādhā al-balad*).

[13] TS 8 J 15.3, lines 15–17.

[14] TS 10 J 25.7, top margin. A notable in Cairo is asked to help a scholarly visitor from Europe who had traveled to Cairo solely because he had heard of the munificence of the addressee's father: *TS 13 J 20.28, lines 11–12; cf. *Med. Soc.*, 2:499, App. C 85.

[15] CUL Add. 3345, lines 33–34.

[16] As reported and praised by the Muslim geographer, al-Muqaddasī, writing around 985. *Med. Soc.*, 2:138.

name, Mosko, which he vocalizes for the benefit of the Arabic-speaking Jews to whom he directs his plaintive appeal.[17] The poor and hungry teacher Joseph the Scholar who wrote that he "lacked the means to buy even one pound of bread" (meaning a loaf, which weighed one pound) reveals his European origin not only by his use of Hebrew (with a spelling mistake that shows he did not know Arabic) but by employing the Italian word *litra* for "pound."[18]

Terminology of the Foreigner

Foreigners in Egypt are readily identifiable in our sources by geographical place-names ("the Damascene," "the Syrian," "the Maghrebi," "the Rumi" [from Byzantium or simply from Christian Europe]), and so forth.[19] Or, we encounter them under the rubric *gharīb*, lit. "stranger," or *ṭāriʾ*, "newcomer."[20] The word *gharīb* in Islamic literary sources, Franz Rosenthal has shown, usually represents "everybody who left his original place of residence and went abroad," including both merchants and beg-

[17] TS 12.237. The Hebrew letter that states "I inform my lord the [honored] elder that I came her[e] from a distant place" almost certainly was written by a European Jew. *TS 8 J 13.5.

[18] TS 8.200. Cf. *Med. Soc.*, 5:88. The addressee is Nathan b. Yefet, not Yefet b. Nathan, as in ibid., 530n217, where Goitein identifies the teacher with the writer of another plaintive letter, described under "Position of Teachers" in vol. 2:188n18. The writer of the Hebrew appeal *TS 10 J 10.4 makes it abundantly clear that he is a foreigner by his words: "Since I arrived here I have d[e]sired to see my lord the elder and I always pray for you. I came here out of great [need]."

[19] Examples. *TS Box K 15.48; *Med. Soc.*, 2:444, App. B 25 (1100–40), two lists of recipients of clothing (a few names recur in both), including the wife of ʿImrān al-Ṭarābulsī (from Tripoli, Syria, or perhaps Tripoli in North Africa), the wife of Karīm al-Ṭabarānī (from Tiberias), Yaḥyā al-Banyāsī (from Banyas), the wife of al-Ḥayfī (from Hayfa), Yaḥyā the in-law of al-ʿAkāwī (from Acre); originating in Byzantium or elsewhere in Europe, R. Isaac al-Rūmī; from the Egyptian countryside, the household (possibly "wife," *bayt*) of al-Malījī (from Malīj), al-Malījiyya (the woman from Malīj), the parnas from Damietta; from Iraq, the son of al-Baghdādī, the daughter of al-Baghdādī; from North Africa, Khalūf al-Jarbī (from Jerba, Tunisia); from the Mediteranean islands, the parnas Iqrīṭas (from Crete). A letter of appeal from an old, "weak" (i.e., poor) woman, lacking bed-clothing, on the brink of death ("death [sits on my window sill"]), adds between the lines that she is a "Maghrebi." TS NS Box 325.184, ed. Scheiber, *Geniza Studies*, 81–82.

[20] TS Arabic Box 52.247, *Med. Soc.*, 2:459, App. B 72 (1150–90), a list of about sixty-eight persons receiving clothing, among them six designated as "foreigner," for instance, an orphan foreigner (m.) (*yatīm gharīb*), a foreigner (f.) (*gharība*) living in the inn, Yaʿīsh the foreigner (m.) (gharīb), and a proselyte foreigner (f.) (*gharība giyyoret*). "Baḥya the *gharīb* from Toledo" receives a handout of three dirhems by order of the Nagid Abraham Maimonides: TS Box K 25.240, no. 18, *Med. Soc.*, 2:449, App. B 39b (1210–25). Joseph b. Khalaf the newcomer (*al-ṭāriʾ*): TS Box K 15.96, col. II, line 24, *Med. Soc.*, 2:441, App. B 8 (1170s?).

gars. Experiencing loneliness as well as the loss of prestige gained from nearby family and friends, the "stranger in Islam" typically suffered from poverty, which as a rule he or she was unable to overcome. The association of poverty with foreignness (being a stranger) is also an ancient motif in the Near East, mirrored already in their linkage in the Hebrew Bible.[21] The foreigner in many cultures, inherently an unknown quantity, is suspect—"alien" in the pejorative sense of the word. Not surprisingly, Gharīb is the name given to the trickster-beggar from the Islamic "underground" in a shadow play written in fourteenth-century Egypt.[22]

When writing their own letters, foreigners often identify themselves as coming from afar, for example, Ephraim, a refugee from Morocco, who uses both Arabic and Hebrew to call himself "the poor, poor foreigner" (*al-faqīr al-ʿani al-gharīb*)[23]; or the needy foreigner (gharīb) from a distant place who apologizes for not knowing a single title of the addressee, "may love cover over all (my) sins."[24] A common Hebrew locution for sojourning foreigners, *ʿover va-shav* (wayfarer), has special significance in our sources in combating discrimination in charity toward the temporary sojourner. We shall come to this later on.

Needy Wayfarers

Needy foreigners fell roughly into four categories, though the boundaries separating them were somewhat porous: wayfarers, poor immigrants (temporary or long-term), captives, and refugees, the latter including Christian proselytes fleeing to safety in the Islamic orbit. We shall treat captives, refugees, and proselytes in the next chapter.

Wayfarers crop up abundantly in letters of appeal, though many more of them are doubtless subsumed under the designation "newcomer" (ṭāriʾ) in the alms lists.[25] Sometimes the needy wayfarer was a *nasi*, a descendant of the Jewish royal house of David. It was an honor to support such dignitaries in their travels.[26] Other impoverished people on the

[21] Franz Rosenthal, "The Stranger in Islam," *Arabica* 44 (1997), 35–75.
[22] Clifford E. Bosworth, *The Medieval Islamic Underworld: The Banū Sāsān in Arabic Society and Literature* (Leiden, 1976), 1:120ff.; Sabra, *Poverty and Charity in Medieval Islam*, 48–49.
[23] *TS 8 J 20.24, line 14.
[24] TS 13 J 11.1.
[25] On aid to travelers, see *Med. Soc.*, 2:135–36. The knotty issue of whether transient wayfarers received food from a daily "soup kitchen" (the talmudic *tamḥui*) as distinct from the *quppa*, the weekly collections/distributions for resident poor, will be taken up in chapter 8.
[26] TS NS J 2, ed. Goitein, *Gratz College Anniversary Volume* (Philadelphia, 1971), 105–106, a letter mentioning a large expenditure (forty dirhems) to send a distinguished guest, a nasi, from an Egyptian provincial town to his next station. Cf. *Med. Soc.*, 2:136 and 548n53. See

move also received aid from communal resources.[27] Travelers from such faraway places as Morocco, Sicily, Muslim Spain, Christian Spain, France, Kiev-Rus, Syria and Mesopotamia, Iraq, and, from a much later period, Trieste often carried letters bearing multiple signatures in effect vouching for their neediness, in anticipation that communities or individuals might be reluctant to support unknown persons from distant locales. Perhaps the most remarkable story—to be related at length later on—is that of the lady proselyte from southern France who made her way with her family to northern (Christian) Spain, fleeing the wrath of her Christian former family. Suffering there from ongoing troubles, widowed, impoverished, and harassed by her Christian relatives, she left the Christian sector and traveled as far away as possible, ending up in Fustat. Her letters of recommendation from the community of Muño in northern Spain, preserved in the Geniza, are replete with signatures authenticating her plight.[28]

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also Arnold Franklin's "Shoots of David: Members of the Exilarchal Dynasty in the Middle Ages" (PhD diss., Princeton University, 2001).

[27] Other impoverished people on the move: TS Box K 25.240, no. 17, *Med. Soc.*, 2:449, App. B 39b (1210–25), an order of the nagid Abraham Maimonides to pay five dirhems as "travel money" *(tasfīr)* to a blind cantor. TS Box K 15.161: a short note to the merchant, scholar, and legal respondent Nahray b. Nissim asking him to appeal to his congregation to collect money for a cantor so he can go on his way after the Sabbath.

[28] *Morocco*: *TS 12.192 (written and signed by Maimonides), ed. Richard Gottheil, *Gaster Anniversary Volume* (London, 1936), 174, 177 and re-ed. with facsimile, Simha Assaf, *Meqorot u-meḥqarim be-toledot yisrael* (Texts and Studies in Jewish History) (Jerusalem, 1946), 163ff., trans. into English by Joel L. Kraemer, *Maimonidean Studies*, ed. Arthur Hyman, vol. 1 (New York, 1990), 87-92; *Morocco and Sicily*: TS 16.287, ed. Ashtor, *Mamluks*, 3:101–105 (date should be corrected to 1208 as per Goitein, *Med. Soc.*, 2:136 and 548n59); *Muslim Spain*: TS NS J 120, a letter in which, among other matters, the writer recommends a poor and bashful cantor who was exiled from Spain. TS 20.24, ed. Schechter, *Jewish Quarterly Review*, o.s. 12 (1900), 112; re-ed. Eliyahu Ashtor, *Sefarad* 24 (1964), 60–63, a letter describing a government official in Granada, Spain, who had fallen into disgrace. His son left the country, equipped with a large letter of recommendation given him by the local community. Cf. *Med. Soc.*, 1:57; *Christian Spain*: TS 16.100 and TS 12.532 + TS NS Box 323.31, recently restudied (citing earlier literature by Jacob Mann, Eliyahu Ashtor, and Norman Golb) in a pair of articles by Edna Engel, *Sefunot* 7(22) (1999), 13–21, and Yosef Yahalom, ibid., 23–31. See chapter 3 at note 64. *France*: BM Or 5544.1, partly ed. Mann, *Jews*, 2:191, full ed. N. Golb, *Toledot ha-yehudim beʿir Rouen,* 163–70, English version, *The Jews in Medieval Normandy*, 551–56, a letter, apparently from Arles in Provence, recommending a Reuben b. Isaac from Rouen (as convincingly argued by Golb) for assistance getting to Jerusalem. *Kiev-Rus*: *TS 12.122, ed. Norman Golb and Omeljan Pritsak, *Khazarian Hebrew Documents of the Tenth Century* (Ithaca and London, 1982), 1–71, a letter from the community of Kiev on behalf of Jacob ben R. Ḥanukkah. He had been seized by gentile creditors of his brother's, who had been killed by brigands. Jacob had stood surety for the loan. The community had redeemed him by paying part of the debt. Now, apparently, they had sent Jacob to collect as much of what remained of the debt as he could from various Jewish communities. He had evidently ended

The itinerant foreign poor also included travelers from closer by. Indigents living in the small towns of the Egyptian countryside journeyed to the capital in search of charity.[29] It worked the other way, too: wayfarers who wished to leave the capital for better pickings in the countryside obtained letters of recommendation for that purpose from a Jewish dignitary in Fustat.[30] It is possible, too—though I have come across no evidence of this—that from time to time officials in Fustat sent indigents to the countryside in order to spread some of the burden of supporting the foreign poor beyond the confines of the capital.

Naturally, we read frequently about wayfarers trying to get home. Previously we described a letter of appeal from 1034–35 recommending a formerly rich man who had fallen upon hard times. He had been forced to flee his home town (the name of the place is not mentioned) and had reached Damascus. On the road from there to the Holy Land he was attacked by highway robbers. When he reached Jerusalem he decided to proceed on to Egypt, hoping to receive enough there to finance his trip home. The recommender asks the addressee, whose "habit (it is) to be good to all who come to Egypt," to make an appeal on his behalf to the elders of the community, whether in the synagogue or in their homes, and to "give him proper advice so that he may return to his home."[31]

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up in Fustat; Bodl. MS Heb. e 74.71v–72r, partly ed. Mann, *Jews*, 2:192, cf. 1:165–66, a Jewish wayfarer from "Russia" bearing a letter of recommendation from Salonica wishes to reach Jerusalem; *Syria and Mesopotamia* (Aleppo, Mosul): CUL Add. 3348 (refers to other letters, with signatures). *Iraq*: CUL Or 1080 J 57, a letter of recommendation in Arabic for a cantor, preacher, and scholar who had sojourned many years in the Holy Land, Syria, Baghdad, and other parts of Iraq "where he saw the graves of the Fathers of bl(essed) me(mory) and the sites of the prophets"; TS 13 J 17.20, a letter of recommendation in Arabic on behalf of an Iraqi merchant from an illustrious family who lost everything in a shipwreck. *Trieste*: A letter of recommendation in Hebrew with rabbinical signatures, composed in Trieste in 1863 for a needy person, the bearer of the letter, who had suddenly become impoverished and has a hungry family. One of the verifications is in Italian, stating that the bearer is "deserving to be offered assistance" (*come persona degna di ofere assistata*). AIU VII E 63.

[29] TS 8.143, a Jew in distress leaves his family in the provincial town of Bilbays and travels to the capital hoping to obtain help from the nagid.

[30] TS 16.253, a needy person asks the head of the Jews, the nagid Mevorakh b. Saadya, and the notable Abu'l-Mufaḍḍal, to give him a note so he can solicit charity throughout the Rīf (countryside). He particularly wants people to know that he has not had his rank (*darajatī wa-manzilatī*) diminished, that is, to think he is a shameless beggar. Cf. Cohen, *Jewish Self-Government*, 261. See also *TS Arabic Box 46.253, *Med. Soc.*, 2:509, App. C 140, a letter of recommendation, replete with rabbinic quotations, written for a man from Baghdad in the summer of 1229 by Solomon b. Elijah in Fustat and addressed "to the holy communities in Egypt."

[31] *TS 10 J 10.9 (see chapter 1 note 17), ed. Mann, *Jews*, 2:111; reprinted Golb, *Rouen*, 11–12; re-ed. Gil, *Ereṣ yisrael*, 2:224. The nagid Joshua Maimonides (apparently) writes a letter asking the two congregations of Fustat to take up a collection for a poor man who

Pathetic to read is the letter from a poor mother with an infant daughter who needed money to cover the expenses of traveling home to Palestine. Her husband there had divorced her and she had come to Egypt, leaving a grown daughter behind. Now she wished to return home and rejoin her daughter. She secured a letter of recommendation from the nagid (Abraham Maimonides) in Fustat requesting travel assistance from the community of Alexandria, which was on her route home.[32] Similarly, a strapped man "from a distant land" writes to a benefactor of his, a nasi, who had supported him in the past. Now he petitions him for money, for "I wish to return to my home, and have not the wherewithal."[33]

Making a pilgrimage to Jerusalem or settling there was highly valued and could be exploited by wayfarers as a strategy to obtain charity, especially in the light of a halakha that privileged charitable giving to the poor of the Land of Israel over the poor living outside the Holy Land.[34] Jews in Egypt regularly were asked to donate money for the upkeep of the Jerusalem yeshiva (as they did for the yeshivot in Baghdad) and its community.[35] Outright charity for individuals flowed in that direction too.[36] The judge Nathan ha-Kohen b. Mevorakh (end of the eleventh century) in Ascalon, Palestine, writing to the parnas Eli b. Yaḥyā in Fustat, asks him to assist Solomon b. Benjamin, the bearer of the letter. Like so many others we have seen, he had been formerly well-off (and also generous) but—a victim of conjunctural poverty—had become a refugee as a result

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"wishes to travel to his city, Jerusalem, *the Holy City, may it be rebuilt and est(ablished)*, for his children are waiting for him." *TS 8 J 9.15. "It seems that the letter emanated from the office of the nagid Joshua (d. 1355), a descendant of Mamonides." Goitein, *Med. Soc.*, 5:192 and 561n38. Described briefly by Goitein in *Tarbiz* 54 (1985), 85.

[32] CUL Or 1080 J 34. Cf. *Med. Soc.*, 2:136.

[33] ENA 2808.31.

[34] *TS 8 J 17.13, which Goitein summarizes: "For a scholarly person on his way to Jerusalem the Fustat community was instructed to arrange a collection without delay so as to enable him to join a caravan which was about to leave." *Med. Soc.*, 5:35. The halakha: Sifrei Deuteronomy, ed. Finkelstein (2nd printing New York, 1969), Piska 116, p. 175; trans. Reuven Hammer (New Haven, 1986), 161. A Jew from Kiev-Rus on his way to the Holy Land carried a letter of recommendation from the Jewish community of Salonica, where he had been living until inspired by news of the splendors of Palestine to make a pilgrimage there (the letter found its way into an epistolographic formulary, probably chosen because of its flowery rhymed Hebrew prose introduction and citations in the body of the letter from Bible, Mishna, and Talmud, unusual in the "real" letters of appeal). Bodl. MS Heb. e 74.71v–72r, partly ed. Mann, *Jews*, 2:192 cf. 1:165–66. See also Cuffel, "Call and Response: European Jewish Emigration to Egypt and Palestine in the Middle Ages."

[35] An example: ENA 4020.19, ed. Mann, *Jews*, 2:189; re-ed. Gil, *Ereṣ yisrael*, 2:55–56 (dated by him ca. 1024), a letter from the Jerusalemites, who sent their parnas to Egypt to collect money for the rabbis and the poor of the Holy City, where the community was racked by debt trying to pay off a heavy tax burden.

[36] The evidence is abundant. One example, TS AS 147.21, is a supplicating letter from the poor of the Holy City.

of unspecified difficulties. He now wished to settle in Jerusalem and needed money for that purpose. Significantly, the information that Solomon's goal was to settle in Jerusalem was inserted interlinearly in the text as an afterthought. The suppliant, or perhaps his intercessor, the letter-writer, knew that this fact would have a compelling impact on would-be benefactors and did not wish to leave it out.[37] By the same token, needy travelers arriving in Egypt from the Holy Land, especially from Jerusalem, could expect a favorable reception.[38] There was even a special pious foundation in Fustat for the Jews of Jerusalem. It was a property called "the Compound of the Jerusalemites" and its rental income was earmarked to assist indigents in and from the Holy City.[39]

A payment order from a mid-twelfth-century nasi to disburse a quarter dinar from the Jerusalem fund to some foster children probably referred to refugee children from the Holy City, where no more than a couple of Jews lived at that time.[40] When, in the fourteenth century, we find letters from the nagid Joshua Maimonides (d. 1355) instructing the congregations of Fustat to arrange collections for poor Jews who desired to travel to Jerusalem (in one case, it is stated that the indigent was an old man and that Jerusalem was his home), the extra exhortation may have been necessary because it was a time of decline and widespread dearth in the Egyptian Jewish community.[41]

[37] *TS 18 J 4.4, supralinear and sublinear addition at line 21, ed. Scheiber, *Geniza Studies*, 79–81. Cf. Cohen, "Poverty as Reflected in the Cairo Geniza Documents." Another example: An unfortunate man writes a letter of appeal from Jerusalem, saying he is "in misfortune and great distress on account of being cut off from means of making a living and being confined to the house, desirous of remaining in this Holy City (*al-quds al-sharīf*), as is pleasing to (God) the ex(alted), and to pray at its holy gates before this great house (the holy Temple), may God rebuild it soon in our days." TS 8.64, lines 7–11 (cf. also chapter 4, at note 13).

[38] CUL Or 1080 J 4, a small fragment of a letter from Jerusalem, addressed to [Eli] he-ḥaver b. ʿAmram, the judge and head of the Palestinian congregation in Fustat during the third quarter of the eleventh century. The letter thanks him for lending assistance to a Jew named Eli ha-Kohen he-ḥaver, who had arrived in Egypt before Passover. The writer and "the elders of the Holy City" had just received a letter from the wayfarer reporting that his Egyptian host had read an earlier letter from Jerusalem about him to the congregation (and raised money on his behalf, the damaged continuation of the fragment doubtless stated).

[39] See Gil, *Foundations*, 116.

[40] TS AS 146.5, cf. *Med. Soc.*, 3:248 and 481n177.

[41] *TS 8 J 9.15, instructing that the collection be made in the two Rabbanite synagogues in Fustat. See above note 31. See also BM Or 5544.2, a letter of recommendation from Joshua Nagid instructing the community of Fustat to collect money in the Palestinian synagogue for a poor Jew who wanted to go to Jerusalem. The money was to be sent first to the nagid (in Cairo). Also TS 13 J 8.14, from the first half of the eleventh century, regarding a joint Karaite-Rabbanite collection in the capital of Egypt for the benefit of the Jewish community of Jerusalem, which at the time was being hard pressed by Muslim moneylenders. Cf. *Med. Soc.*, 2:472, App. C 4.

Immigrants

Wayfarers normally were transients and normally did not represent an ongoing burden on private or public charity. More problematic were the immigrants proper, people who had come to Egypt from other countries or from the Egyptian provinces to the capital and settled there on a long-term basis, presumably seeking to improve their lot.[42] They did not always succeed. A man writes (using Arabic characters) that he had lived for six years in Alexandria and another year in Fustat. His family, including a widowed daughter and a three-year-old grandson, was suffering from hunger and sickness. The addressee had paid his poll tax in the past. Now the suppliant appeals to him "for the ship's fare to travel," one imagines to return to his home abroad.[43] Similarly, a foreign widow with children, living in Egypt and yearning to rejoin her family in Palestine (Shām), writes plaintively: "I am a foreign woman in this city, unable to sell or buy, beyond the three waybas [of wheat, about 45 liters] that I bought for the boys and fed them."[44] A beautifully written letter tells the story of a man who migrated to Fustat when his fortune turned bad and he was pursued by creditors. In the capital he found ample charitable support for a year and a half when, for reasons he could not fathom, people stopped giving to him. He was advised by some local Jews of North African or Spanish origin ("from the West") to leave and seek help elsewhere. Since he knew that a proselyte named Abraham was departing on a business trip to Ceuta, Spain, he asked to accompany him. Having not heard from Abraham yet, he asked the addressee to intercede.[45]

More often than as suppliants for private charity writing letters of appeal we find immigrants "uncovering their face" on the communal dole. Foreigners, indeed, constitute "by far the most numerous" category of persons on the lists of beneficiaries.[46] As immigrants they were slow finding work, let alone work that paid a living wage. Many of the people who streamed into Egypt were chronically poor to begin with. Other reasons, too, forced these "strangers" to resort to public charity.

Can we say anything, though, about the numbers of foreign, indigent immigrants in Egypt during the classical Geniza period? Though the

[42] On the "incessant exodus from the Rif to the cities," see *Med. Soc.*, 4:10.
[43] TS Arabic Box 40.187.
[44] ENA NS 22.7r, lines 6–8, cf. *Med. Soc.*, 5:89. The list of contributors on the other side of the page represents, Goitein believes, the results of a collection made in response to her appeal. Ibid., 530n220.
[45] CUL Add. 3345. He wasn't familiar with sea travel, and also, he adds, was old.
[46] *Med. Soc.*, 1:56.

Geniza is a haphazard deposit, precluding detailed and sophisticated statistical analysis of its documents, one can still glean significant impressions from the crude statistical data that is recoverable.

I have identified so far about a dozen lists of beneficiaries that include at least one foreigner designated as gharīb specifically, and some of them contain three or more.[47] The term "newcomer" (ṭārīʾ) appears in five additional lists (as many as five times in one of them).[48] Six out of approximately sixty-five entries on a list of recipients of clothing are designated "foreigner" (gharīb or gharība). They are concentrated in two clusters and they include an orphan and a female proselyte, two other categories of people with good reason to be needy.[49] These, of course, are just the people called "foreigner" explicitly. Many, many more can be identified by their toponymics. And still others have no distinguishing marker at all.

Examples of documents showing a high percentage of needy foreigners in the Egyptian capital, mainly identified by their toponymic, follow. A list of men, evidently a census of needy heads of households for whom the community paid the poll tax in whole or in part, has preserved about sixty-eight entries: sixteen of them are outsiders (seven from Cairo, three each from Alexandria and al-Maḥalla, and one each from Qūṣ in distant Upper Egypt, the Maghreb, and Damascus).[50] An alms list for distribution of wheat includes a section with about thirty-three names headed "those who have not received their share," one-third of whom are outsiders, whether from such foreign countries as Persia, Rūm (Byzantium or Latin Europe), or Palestine, or from other cities in Egypt.[51] Out of ninety-two people receiving one or more loaves of bread for their households in a list from the beginning of the twelfth century, twenty-seven (or

[47] TS 8 J 5.14, *Med. Soc.*, 2:448–49, App. B 36 (1182); TS Box J 1.26, *Med. Soc.*, 2:458, App. B 67 (1100–50); TS NS J 245, *Med. Soc.*, 2:462, App. B 84 (1200–40); TS Box K 15.90, *Med. Soc.*, 2:450, App. B 40 (1210–25); *TS Misc. Box 8.25, *Med. Soc.*, 2:443–44, App. B 24 (1100–40); TS 24.76, *Med. Soc.*, 2:438–39, App. B 1 (1020–40); TS 13 J 8.11v, ed. Gil, *Foundations*, 403–408 (= *Med. Soc.*, 2:429, App. A 146 and 449, App. B 37 [1213]); TS 16.230, *Med. Soc.*, 2:468, App. B 109; TS 18 J 2.4, *Med. Soc.*, 2:453, App. B 52 (1020–40); TS Box K 15.85, *Med. Soc.*, 2:448, App. B 34 (1100–40); TS NS Box 324.132, *Med. Soc.*, 2:459, App. B 71 (1150–90); TS Misc. Box 25.84, line 7, *Med. Soc.*, 2:462, App. B 80 (1200–40), a gharīb from the provincial town of Minyat Ghamr receives one loaf of bread (while most of the others on the list receive at least two).

[48] TS 20.112, *Med. Soc.*, 2:439, App. B 2a (1020–40); TS Box K 15.96, *Med. Soc.*, 2:441, App. B 8 (1040–60); *TS Misc. Box 8.9, *Med. Soc.*, 2:442, App. B 18 (1100–40); TS Box K 3.34, *Med. Soc.*, 2:445, App. B 28 (ca. 1068–1107); *TS NS J 41, *Med. Soc.*, 2:442, App. B 17 (1100–40) (five times).

[49] On "refugee proselytes," see chapter 3.

[50] TS 8 J 41.13v, cf. *Med. Soc.*, 2:460, App. B 75 (1200–40).

[51] TS 8 J 6.3v.

their children, grandchildren, or widows) are foreigners from outside Egypt while a few others are immigrants to Fustat from other cities in the country.[52]

The evidence mounts up. A register of about one hundred persons who contributed or were asked to contribute between 1/6 and 3/4 dinar toward their poll tax, the balance to be paid by the community, includes five foreigners from Palestine, one (maybe two) from Tyre, one each from Damascus and Mosul, one from Baghdad, two from Persia, one from Tiflis in the Caucasus, three from Spain, one of Slavic origin, one from the Maghreb, the son of a Tunisian woman, and one person from the Lower Egyptian town of Ṣahrajt.[53] From a bit later (as indicated by the overlap of a few names) comes a list of more than 180 recipients of cash payments, evidently toward their poll tax. About forty of them are foreigners, designated as such by their place-names, thirty-five of them coming from Palestine, Iraq, Syria-Lebanon, or Rūm. Goitein attributes the strong influx from Asia to the reaction of the populace to the invasion by the Seljuk Turks around 1070.[54]

Jewish immigrants from Rūm form a conspicuous element in some extant loose leaves from a notary's record book of alms lists, from around 1107. Two of the lists contain separate sections for the Rūm—in one of them, at least forty-nine persons, in the other, forty.[55] From a few years later, a list of householders eligible for charity also has a separate section for the Rūm, left blank. The scribe wrote "The Rūm cannot be counted."[56] Goitein speculates that these Jews were refugees from the upheavals that attended the First Crusade, especially the massacres of Jewish communities, presumably in the Rhineland and in other regions on the Crusaders' route through Europe to the Holy Land. Many if not most of these Rūm Jews probably hailed from Byzantine Asia Minor. They could have been refugees from the disruptions following the Seljuk Turks' victory at the battle of Manzikert in 1071 or, more likely, Jews escaping the march of the Crusaders through Asia Minor in 1098. Many of the names are Greek or characteristic of Greek Jews, and some are Arabic, the latter representing descendants of Jews who had immigrated to Asia Minor from Muslim territory following the Byzantine conquests in Syria in the

[52] BM Or 5566 C.9–10, ed. Braslavsky, *Le-ḥeqer arṣenu: ʿavar u-seridim* (Studies in Our Country: Its Past and Remains) (Tel Aviv, 1954), 75–83; *Med. Soc.*, 2:447–48, App. B 32 (1100–40).

[53] TS Box K 15.14 + 66, *Med. Soc.*, 2:440, App. 4–5 (1040–60).

[54] TS Box K 15.96, *Med. Soc.*, 2:441, App. B 8.

[55] *Med. Soc.*, 2:443, App. B 19–23; *TS Box K 15.39, ibid., App. B 21 (at least forty-nine persons; "the orphans of the Karaite" = at least two; "Abraham and his brothers" = at least three); *TS Box J 1.4, ibid., App. B 23 (forty names).

[56] *TS Box K 15.102, *Med. Soc.*, 2:446, App. B 31 (1100–40).

960s and 970s.[57] Foreign groups like the Rūm had their own parnas (we also find the parnas of Crete and the parnas of Damietta, for example), who knew their countrymen and women and their language and could, better than the Fustat parnasim, assess their need.[58]

Of course foreigners kept their toponymics even after they had resided in Fustat for a long time. The Geniza lists certainly encompass many of these persistent indigents, even though many of them were probably no longer considered foreigners. Nonetheless, the sheer quantity of names with foreign toponymics, accompanied by the evidence of the letters of the foreign poor, leaves no doubt that the community was constantly faced with an influx of outsiders who needed assistance until they could find work to sustain themselves and, if they had them, their families.

Stories of Needy Immigrants

Some anecdotal material from letters of foreigners adds color to the dryer evidence of the alms lists. "It is now four years since I left my land," we read in a Hebrew missive, "and the entire 350 Nāṣirī (dirhems) and 25 dinars that God granted me went down with the ship. [. . .] I have nothing left. Do kindness and charity with me and I shall remember you with a good name and goo[d] deeds . . . and all that you do [for me shall b]e for the sake of heaven." The writer of this letter had traveled to Egypt with a small nest egg. After losing it at sea he did not succeed in recovering even his (modest) level of existence.[59]

Two more graphic portrayals of the plight of the newcomer add additional hues to the picture. Noteworthy in both is the emphasis each writer places on his previous efforts toward self-help. The first specimen is a letter from a man from Persia (*balad al-ʿajam*) who is in need; it is addressed to a man known for his beneficence.[60] The writer had been living in the synagogue, a frequent refuge for travelers; it is not certain where, for the word Miṣr is crossed out.[61] At first, he had had enough to live on

[57] Goitein's view: *Med. Soc.*, 2:128. But see David Jacoby, "What Do We Learn about Byzantine Asia Minor from the Documents of the Cairo Genizah?" in his *Byzantium, Latin Romania and the Mediterranean* (Aldershot, 2001), 87–89 (article originally published in 1998).

[58] Both received alms (clothing) in their own right: *TS Box K 15.48r, left-hand page, line 31 and verso, right-hand page, line 6, *Med. Soc.*, 2:444, App. B 25 (1100–40). The mother-in-law of the parnas of the Rūm appears in many alms lists from around 1107, e.g., *TS NS J 41, left-hand page, line 15, *Med. Soc.*, 2:442, App. B 17 (ca. 1107).

[59] TS 12.354, lines 10–14.

[60] *Ikhtaṣṭuhu biʾl-suʾāl dūna ghayrihi limmā huwa mashhūr ʿanhu wa-manshūr fī mithlihi* (lines 13–14).

[61] "The foreigners (*ghurabāʾ*) in the synagogue" appear on a list of communal officials and

(remaining mastūr in his words).[62] When he lost that, he was left without a pittance (*ḥabba*, "granule," also the name of a coin of tiny value). When he arrived in "this city" (either Fustat, or possibly Cairo, as he is writing to Fustat; or the word *balad* here means "country," referring to Egypt as a whole) he intended to earn a living by "serving the people" (*nakhdum al-nās*), meaning, in an occupation paid by the community. But he fell sick with smallpox (*judarī/jadarī*) and could not work. "I have never uncovered myself," he writes, expressing his shame, "and would not have had to had not necessity brought this about."[63]

The second letter, much longer than the first (seventy-five as compared to twenty-one lines) and even more colorful in its detail, was addressed to a Jewish government official named Ya'ir b. Elʿazar. The not-so-recent newcomer chronicles his failed attempts to make it on his own in Fustat.

> I tried hard for the year and three months that I have been in Fustat to eke out a living (*maʿīsha*) through teaching or something else, so that I could get two or three dirhems (a week) to improve my situation. . . . I turned to various people (*jamāʿāt*) to set me up with a livelihood, so that I wouldn't reach the point I have come to. Among the people I turned to to set me up with a livelihood was my master the illustrious elder, may God perpetuate his honor, but he told me, "I have no work." It was my intention thereby not to have to appeal to anyone, for the sages, may their memory be blessed, said: "One should die before becoming dependent upon other people."[64] As God is my witness, I did not intend to talk to anybody in this city about this. When I was on the way here I prayed, "O Lord, I shall not appeal in need another time." The proof of what I say is that I did not talk about (it) and did not conduct myself the way cantors and scholars do to get the maximum possible gift. God knows that last year, on the Ninth of Av, the elder Abu'l-Faraj the banker, may God remember him for good, gave me a bag of dirhems but I threw it back at him immediately, saying: "I can take care of my own livelihood." He took it back and felt bad. Another proof is that my master the illustrious elder, your son, may God make his honor permanent, said to me that day or a few days later, "I have put something aside for you,"

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needy people, TS NS J 239v, line 9. Foreigners living in a synagogue "because of lack of space" (elsewhere) are mentioned in the provincial town of Bilbays: TS 13 J 20.24, lines 7–8. See also chapter 8, section on shelter for the needy.

[62] Arabic: *kāna maʿī shay nastatir bihi* (line 8).

[63] *CUL Or 1080 J 31; cf. *Med. Soc.*, 2:154, and on "service to the community" (*khidmat al-nās*), ibid., 87, 541n104; cf. Ashtor, *Zion* 30 (1965), 66.

[64] A less severe version of this statement is found in Maimonides' Mishneh Torah, Hilkhot mattenot ʿaniyyim 10:18: "One should always restrain oneself and submit to privation rather than be dependent upon other people or cast oneself upon public charity," citing a talmudic utterance, "Make the Sabbath a weekday rather than be dependent upon other people."

> to which I answered, "May you always be there for me. By God, you also promised me something another time." In sum, I did not intend to burden anyone and all I was hoping to do was to eke out a living.

After describing an investment he made in a quantity of mercury, which resulted in financial loss, and also alluding to rent owed and to his liability to the poll-tax collector, the man continues:

> I have told (you), my master the illustrious elder—may the Rock protect you and help you and may you be enveloped by the will of God—about my situation and my straitened circumstances and my loss, for he who has no livelihood has no life. [. . .] (the writer goes on to ask the addressee to help him out with the investment which, had he had luck, would have yielded a profit of six dinars.) My master the illustrious elder, may God lengthen your days, knows that people redeem *captives* and they get out of *prison* and accomplish in this world what they can to do good, and a great deal more. May you, may God perpetuate your honor, expend double that which people pray for from you and also give double to *scholars*. My intention by this request is to eke out a living with the proceeds so that I can improve my situation and not have to ask anyone to support me. Dependent upon me are family members upon whom this is very hard, and besides, they give me no peace. I swear I have not provided them the taste (of food)[65] since the time I arrived here until today. I hope my rescue will come from God, may He be praised, and from my illustrious master, may God perpetuate your authority. To you, may God destroy your enemies, belongs the lofty decision about what to do for me.[66]

This immigrant, wishing to prove himself deserving of financial assistance, tried to convince his would-be benefactor that he did not intend to become a burden on anybody, like his counterpart from Persia and countless others among the conjunctural poor. He had not been able to find employment, even the poorly paid work of a teacher. Then, luckless, he lost money in a commercial investment. Now, desperate, he needed a little help to recoup his losses. Unlike less competent foreigners, he could take care of himself and indeed wanted gainful employment rather than a handout. He echoes the rabbinic sentiment codified by Maimonides in his "ladder of charity" at the end of the laws of charity in the Mishneh Torah, recommending offering the poor a partnership or gainful employment or a loan or a gift that could be used to build economic security as the highest form of philanthropy.[67]

[65] The first form of the verb *dhāqa* is used, rather than the needed fourth form. In Judaeo-Arabic, forms I and IV of this kind of verb are often interchanged.
[66] *TS 24.46, as of line 37. I wish to thank Raymond P. Scheindlin and Sasson Somekh for their help in understanding this difficult letter.
[67] Mishneh Torah, Hilkhot mattenot ʿaniyyim 10:7.

Foreigners, the Halakha, and the "Deserving Poor"

As the last story suggests, the Geniza affords a unique opportunity to explore the relationship between normative halakha and actual practice. Here we shall examine this relationship for the case of charitable obligations toward foreigners, with particular reference to the issue of the "deserving poor." This matter, which was of considerable concern to Christian authorities in medieval and early modern Europe and, in turn, has attracted the attention of modern scholars, occupied minds centuries earlier in Jewish society.[68]

Biblical laws of charity favor the stranger. The "stranger," *ger* in biblical Hebrew, is a resident alien who attaches himself to the Israelite people. Typically needy because separated from family, the "stranger" is grouped with widows and orphans (fatherless children), the classical paradigms of the socially weak. "When you reap the harvest of your field and overlook a sheaf in the field, do not turn back to get it; it shall go *to the stranger*, the fatherless, and the widow—in order that the Lord your God may bless you in all your undertakings. When you beat down the fruit of your olive trees, do not go over them again; that shall go *to the stranger*, the fatherless, and the widow. When you gather the grapes of your vineyard, do not pick it over again; that shall go *to the stranger*, the fatherless, and the widow. Always remember that you were a slave in the Land of Egypt; therefore do I enjoin you to observe this commandment" (Deuteronomy 24:19–22).[69]

These laws, however, indeed the biblical laws of agriculture in general, were later understood to hold sway only in the Holy Land. They were inapplicable to Jews living in the diaspora and would only come back into general force at the time of the Messiah, when all Jews living in exile would return to live in the Land of Israel and the land would be restored to Jewish sovereignty. In rabbinic times, moreover, *ger* assumed a new meaning, that of "proselyte."

If the bibical privileging of the ger did not carry over to the medieval diaspora, a rabbinic halakha potentially impinging upon the acceptance

[68] For Jewish society, however, the issue has only recently been taken up, for the Ashkenazic world in particular, by E. Horowitz, "'(Deserving) Poor Shall Be Members of Your Household': Charity, the Poor, and Social Control in the Jewish Communities of Europe between the Middle Ages and the Beginning of Modern Times."

[69] Cf. Lev. 23.22: "And when you reap the harvest of your land, you shall not reap all the way to the edges of your field, or gather the gleanings of your harvest; you shall leave them for the poor *and the stranger* (*ger*), I am the Lord your God." See also Jeremiah 7:5–6, and Zechariah 7:9–10, rebuking those who oppress the stranger, the orphan, and the widow.

of foreign, that is, nonlocal Jews, as worthy recipients of assistance, did. It rules that the poor of one's family take precedence in charity over the poor of one's town, and both take precedence over the poor of another town. This favoring of family and locality, those who are closest, over the outsider—the original meaning of "charity begins at home"—is not unusual for a traditional society; the concept appears in Islam, too, for instance, in the writings of the jurist al-Shāfiʿī (767–820), in connection with zakāt distribution.[70]

As quoted in the Geniza letters the halakha takes the following form: "The poor of your household have priority over the poor of your town, and the poor of your town have priority over the poor of another town." Foreign indigents come last. "The poor of another town" could, of course, designate either indigents writing from "another town" to request assistance from a benefactor in the Egyptian capital or foreigners *from* "another town" sojourning in Fustat. As we have already seen, the alms lists in the Geniza are peppered with the names of poor people who had come to Fustat from "another town" and who appear to have achieved the status of "the poor of your town." The letters of appeal offer examples of both: foreigners writing from outside the capital as well as foreigners already living there who seem to have been concerned that their origins in "another town" would continue to have an unfavorable impact on them even after their arrival in their new place.

The biblical basis for the halakha is a passage in Deuteronomy dealing with charitable loans: "If there is a needy person among you, one of your kinsmen in any of your settlements in the land that the Lord your God is giving you, do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever he needs. . . . For there will never cease to be needy ones in your land, which is why I command you: open your hand to the poor and needy kinsman in your land" (Deuteronomy 15:7–8, 11).

The Talmud, in tractate Bava Meṣiʿa, which deals with aspects of civil law, derives the order of priorities from a verse in Exodus, in a section pertaining to *loans* (the law also appears in the early halakhic midrash, Mekhilta de-R. Ishmael).

> If you lend money to my people, to the poor who is in your power, do not act toward him as a creditor; exact no interest from him" (Exodus 22:24). [This teaches:] *My people* come before a Gentile. *The poor* come before the rich.

[70] Mattson, "Status-Based Definitions of Need in Early Islamic Zakat and Maintenance Laws," 40. Al-Shāfiʿī explains that it is simply easier to ascertain the need of those people nearest at hand. Declarations of the priority of family over strangers can be found in early Christian writings as well.

> *Your* poor (*ʿaniyyekha*) come before the poor of your town (*ʿaniyyei ʿirkha*). The poor of *your* town come before the poor of another town (*ʿaniyyei ʿir aḥeret*).[71]

The concept appears in another early halakhic midrash, Sifrei on Deuteronomy, interpreting Deuteronomy 15:7–8, again in the context of loans—the subject of that biblical passage—but generalized to encompass gifts to the poor as a whole.[72]

Maimonides went further. He split the laws about loans in Bava Meṣiʿa into two parts. He incorporated a statement there limiting the amount of interest chargeable to Gentiles to what was necessary to make a living into the section on the laws of lending ("Creditor and Debtor"), a section that opens with the commandment to lend to the poor of Israel.[73] But since free loans constitute a form of charity, he transferred the part about prioritization in lending to Jews to the section called "Gifts for the Poor" (*mattenot ʿaniyyim*), in the division on agricultural legislation ("The Book of Seeds"), and he gave it a new topic sentence. "*A poor man who is one's relative comes before all others* (*ʿani she-hu qerovo qodem le-khol adam*), the poor of one's household come before the other poor of his town, and the poor of his town come before the poor of another town, as it is said, 'to the poor and needy kinsman, in your land' (Deuteronomy 15:11)."[74]

By severing the matter of prioritization from its original context among the talmudic laws of lending, and transplanting it to the laws of charity, Maimonides confused some readers searching for his sources.[75] This may have been his own innovation, consistent with his over-arching socio-ethical and metaphysical doctrine of charity as expressed, for instance, in the *Guide of the Perplexed*;[76] or it may stem from an earlier codificatory step—unknown to us—by the Geonim or by his teachers in Spain.

[71] BT Bava Meṣiʿa 71a. Cf. Mekhilta de-R. Ishmael, Mishpaṭim 19, 2nd ed., ed. Shaul Horovitz and Yisrael Abraham Rabin (Frankfurt-am-Main, 1931), 315–16.

[72] Sifrei Deuteronomy, ed. Finkelstein, Pisqa 116, pp. 174–75; trans. Hammer, 161. Cf. also Tanḥuma Exodus, ed. S. Buber, Mishpaṭim 8 (reprint Jerusalem, 1964), 85.

[73] Mishneh Torah, Hilkhot malveh ve-loveh 5:2; cf. 1:1.

[74] Mishneh Torah, Hilkhot mattenot ʿaniyyim 7:13.

[75] The sixteenth-century commentators on the Mishneh Torah (printed in the margins) differed in their attempts to identify Maimonides' source. Joseph Caro, in Kesef Mishneh, located it in the talmudic passage in Bava Meṣiʿa just cited. R. David ibn Abi Zimra (Radbaz) turned to Sifrei Deuteronomy, Pisqa 116, but he also cited a more far-fetched source, namely, a ruling attributed to Saadya Gaon (tenth-century Baghdad): *ḥayyav adam le-haqdim parnasato shene'emar ve-ḥay aḥikha ʿimmakh ḥayyekha qodmin le-ḥayyei aḥikha*, "a person is required to give priority to his own sustenance, as it is written, 'let your brother live next to you' (Leviticus 25:36)—your life comes before the life of your brother."

[76] See Yonah Ben-Sasson, "The Doctrine of Charity in the Theoretical Teaching of

Whatever the case, his presentation of this prioritization within the laws of charity responded to real-life conditions in the world in which he lived.[77]

To begin with, Maimonides' topic sentence, "a poor man who is one's relative comes before all others," is not found in that form in the Talmud. I do not think it is purely a matter of style here. To be sure, it reflects the more broadly inclusive sweep of kinship implied by the word *ʿaniyyekha* in Bava Meṣiʿa (translated above as "the poor of your household"). But it also fits the mobile society in which Maimonides lived, where Jews moved more freely from city to city than in the mostly sedentary, predominantly agricultural Jewish world of the talmudic period. In the medieval Mediterranean many people had relatives in other cities, and at times travelers found kin in the foreign cities they traversed. Thus, Maimonides' introduction encompasses the case of a poor relative from "another town" who deserves immediate assistance despite being a foreigner.

In actuality, though, most foreigners lacked local kinship ties, and, for them, the halakha about "the poor of another town" could pose difficulties. Newcomers sensed that they were competing for local philanthropic resources preferentially earmarked for resident indigents or for local and visiting relatives.[78] This awareness finds expression, for instance, in a Geniza letter (in Arabic characters) from a man in need of financial assistance. He was under house arrest for failing to pay his poll tax as well as

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Maimonides" (Hebrew), in *Sefer ha-zikkaron le-Avraham Spiegelman*, ed. Aryeh Morgenstern (Tel Aviv, 1979), 102–105, 108–109.

[77] This confirms Aharon Nahalon's assertion that Maimonides "introduces variations and makes substantive additions to the original formulations that give expression to his independent opinion or interpretations. On occasion he refers to contemporary matters and also suggests that a particular rule is actually still operative." Aharon Nahalon, "Local Legislation and Independent Leadership according to Maimonides," in *Maimonides as Codifier of Jewish Law*, ed. Nahum Rakover (Jerusalem, 1987), 171–72. His example comes from the laws of charity, though not this one.

[78] In *The Guide of the Perplexed* (part 3, chapter 42), discussing the laws of property and inheritance, Maimonides speaks associatively about the precedence to be given family, in general. "[M]an ought to take care of his relatives and grant very strong preference to the bond of the womb. Even if his relative should do him an injustice and a wrong and should be extremely corrupt, he must nevertheless regard his kinsman with a protective eye. He, may He be exalted, says: 'Thou shalt not abhor an Edomite, for he is thy brother' (Deuteronomy 23:8)." Next Maimonides mentions nonrelatives ("foreigners"). "Similarly everyone of whom you have had need some day, everyone who was useful to you and whom you found in a time of stress, even if afterwards he treated you ill, ought necessarily to have merit attaching to him because of the past. He, may He be exalted, says: 'Thou shalt not abhor an Egyptian, because thou wast a stranger in his land' (ibid.). . . . The two last mentioned noble moral qualities do not belong to this seventh class (i.e., the class of laws concerning property). But speaking of the care to be taken of relatives in inheritance, we went on to mention the Egyptian and the Edomite." Trans. Shlomo Pines (Chicago, 1963), 569–70. Professor Gideon Libson directed my attention to this passage.

that of his two sons. Though not a relative of the man to whom he appealed, he exhorts him, quoting the halakha in the original Hebrew: "'the poor of your household come before the poor of your town, and the poor of your town come before the poor of another town,'" then adds, resuming in Arabic: "*Count me among 'the poor of your household.'*"[79] Similarly, in a finely penned petition a man thanks a benefactor for "these two nights," that is, for paying for his and his companions' overnight stay (in an inn, apparently). He then asks for an extension, adding, "may you put us in the place of the *people of your household*."[80] At least temporarily, he seems to have overcome the disadvantage of "the poor of another town" and to have achieved the deservedness of "the poor of your town." Now he was reaching for additional consideration.

The same consciousness of the halakhic order of preference is echoed elsewhere. When the writer of a letter of recommendation on behalf of a man "from a good family" suddenly impoverished by debt writes that he is "from Fustat" (literally in Arabic, "one of the people of Fustat"), I take this to be a notice to the addressee and, in turn, to the community, that the poor man is not a foreigner, hence should not be put into the low priority category assigned to foreigners by the halakha.[81] Similarly, in a draft of a legal query, we read how a man stipulated in his will that, upon his death, his executor "should buy land with 500 dinars, invest it, and divide the proceeds (that is, as a pious foundation) equally, the f[irs]t half to be spent on the 'poor of the town' (*ʿaniyyei al-balad*) and the other half [o]n [his] family from his maternal uncle's side." The dying man (or his advisers) must have known the halakha and therefore stipulated an arrangement that deviated from the letter of the law, giving equal standing to the indigent of his town and his relatives (who may or may not have been needy). Implicitly, of course, he excluded foreign indigents.[82] Similarly, the court scribe Hillel b. Eli (dated documents: 1066–1108) asks the parnas (Eli b. Yaḥyā) to look after a needy man and his father, emphasizing that the son "is deserving (*maḥqūq*) and, especially, because he is a local person (*min ʿaniyyei ha-ʿir*, lit. one of the 'poor of the town')."[83]

In the spring of 1174 a needy scholar arrived in Alexandria with a letter of recommendation from Maimonides carrying instructions to assist him. On the Sabbath of the week of his arrival, however, the community

[79] *BNUS 4038.9, ed. Cohen, *Proceedings of the Seventh International Conference of the Society of Judaeo-Arabic Studies*, forthcoming. Also quoted, but loosely and in part only in TS 10 J 25.7v, lines 11–12: *ʿaniyyei beitkha qodem le-ʿaniyyei ha-ʿir*.
[80] TS 8.83, line 11.
[81] *TS 10 J 13.13, line 8.
[82] TS 13 J 21.25v, ed. Vaza, "The Jewish Pious Foundations," 260–61; cf. *Med. Soc.*, 2:436, App. A 184. The other side of the document is summarized by Goitein in *Sidrei ḥinnukh*, 102.
[83] TS NS J 294, lines 8–9, *Med. Soc.*, 2:501, App. C 97.

was raising money to buy wheat for the "poor of the town" for the upcoming Passover holiday. The communal leader was concerned, knowing that the community was then preoccupied with the local need, but he succeeded in convincing the members gathered in the synagogue to rise to the occasion. He writes: "First we pledged for the poor of the town (*ʿanniyyei ha-ʿir*), and they got an amount of wheat and cash that made them happier than they had been in years. Following that, your servant read the letter the man had brought and they were equally generous, so that he (the letter-bearer) received in one day 70 dirhems (a very large sum, perhaps an exaggeration) in addition to what the (local) poor had gotten."[84]

Tension between the halakhic order of precedence in charitable giving and quotidian reality is beautifully illustrated in a letter from the judge of Ascalon at the end of the eleventh century, Nathan ha-Kohen b. Mevorakh, to a notable in Fustat. Nathan requests aid for an Ascalon family in distress. A debt of ten dinars had forced the husband and father, embarrassed by his sudden loss of economic security, to flee to Egypt. There he was hiding from his creditors while his wife and children remained in Ascalon to bear the brunt of the creditors' impatience. She was about to be imprisoned on account of the debt. The local community of Ascalon was not able to support her and her children because "in Ascalon there are among the Jews only poor beggars" (*ʿaniyyim shaḥḥādīn*). Nathan petitions the addressee to speak to a relative of the wife in Fustat "and inform him that these people are his relatives, his flesh and blood, and that they are in truth 'the poor of his household.' It is impermissible," he goes on, "that two upright Jewish women should be thrown into prison while they have someone to rely upon." If the addressee is unable to accomplish this mission, Nathan asks him to write and tell him so he can quickly petition the nagid (the head of the Jews, Mevorakh b. Saadya) in a separate letter to provide assistance to the unfortunate family.[85]

This case reflects the order of responsibility prescribed by the normative halakha. When a family suddenly falls into poverty, the local community (Ascalon) constitutes the next resort for charitable aid; following that, a relative in a distant city (Fustat). All else failing, the needy individual must hope for charity (from the nagid) on the basis of being "the poor of another town."

Much more evidence could be adduced to demonstrate the relationship between normative law and actual practice in our period, particularly the low priority potentially assigned to the foreign poor. Lending color to the

[84] AIU (shelfmark unknown), ed. Lévi, *Monatsschrift für Geschichte und Wissenschaft des Judentums* 69 (1925), 375–77, *Med. Soc.*, 2:498, App. C 82a.
[85] CUL Or 1080 J 114, ed. Gil, *Ereṣ yisrael*, 3:489–91; discussed 1:par. 307 (Gil, *Palestine*, 197). Cf. Cohen, *Jewish Self-Government*, 231.

picture, here are a few additional examples from letters of appeal. A foreigner complains about the bad reception he was experiencing in Fustat:

> I have no cover, and n[o] couch, and no work to which I can resort. I am from a faraway place, namely Raḥba (a town in Iraq). I have been here three months and none of our coreligionists has paid attention to me or fed me with a piece of bread. So I have turned to God the exalted and to my master to do for me what is appropriate for every wayfarer and give me as charity a little money to raise [my] spirits, for I am miserable and dying from hunger. Dogs get their fill these days with bread, but not I.[86]

There is less explicit allusion to discrimination against needy foreigners as well. A scholarly man from a distant country writes to the parnas Aaron ha-mumḥe b. Ephraim b. Ṭarson (early eleventh century) asking him to come hear his sermon in the synagogue on Sukkot. But he also has something more tangible in mind when he writes, at the end, "Please distinguish me from others and do not think of me as of other wayfarers."[87]

We heard briefly in the previous chapter the story of a Maghrebi (North African) foreigner, a "good, poor and ashamed man who had fallen from his wealth." He bore with him on his travels a letter of recommendation that he showed to different communities. He had sojourned in Sicily and had already been maintained by the community of Alexandria for one and a half years following an eye operation that had left him unable to work. But no more charity pledges (pesiqa) could be made on his behalf there because it was discovered that he had relatives in the city (and family should care for its own) and hence was disqualified from public assistance.[88] Obviously, his family had ignored him, so he was now appealing elsewhere.

Abraham b. Jethro (a rare name for a Jew—it was the name of Moses' Midianite father-in-law), a scholarly merchant from Damascus, seems to show a similar concern about his deservedness as a foreigner. He had recently incurred "the trials of Time (Fate)" (*miḥān al-zamān*) and lost everything, and been compelled to take to the road in search of charity. His letter profusely quotes rabbinic praise of charity and verses from the Bible. Such quantities of rabbinic material are quite rare. One may imagine that our foreign merchant, concerned about reluctance to give to the itinerant foreign poor, was demonstrating his deservedness as a scholar. Scholars had special claim on people's giving because of their learning. In the rhymed prose of the Hebrew introduction he calls the addressee "The

[86] TS 8 J 16.30. Cf. *Med. Soc.*, 5:90, with partial translation.
[87] CUL Or 1080 J 132, lines 20–21 (*yumayyizunī min al-ghayr wa-lā yaḥsubunī ka-sā'ir ʿovrei derekh*).
[88] TS 16.287, ed. Ashtor, *Mamluks*, 3:101–5. See chapter 1, note 47.

generous benefactor who sows charity in all corners of the earth for scholars and for wayfarers (*ʿovrei ba-netivot*)." This petitioner was both.[89] One wonders, finally, whether the unusually high number of foreigners in the alms list for wheat mentioned above under the rubric "those who have not received their share" mirrors the priority given to locals over foreigners.[90]

The evidence presented so far and much more as well shows that the itinerant poor, the "poor of another town," were sometimes placed, or expected to be placed, low on the list of philanthropic priorities, as prescribed by the ancient halakha.[91] More than family and local residents, they faced the challenge of proving their deservedness. Moreover, as we have seen, it was not only those writing for assistance from another town—the remote foreign poor—but also foreign indigents living *in* the capital of Egypt who worried about discrimination. Many if not most of those were seeking private charity in order to avoid the community dole. Victims of conjunctural poverty, they wished to cover up their indigence and limit their shame. For these people, we may imagine that the problem of proving their deservedness was not negligible.

Examining the Foreign Poor for Deservedness

The deservedness of the foreign poor is an issue appearing cross-culturally and across time. Centuries before poor relief administrators in early modern Europe were devising methods to verify the deservedness of the Christian poor, to establish their legal residence locally, and to prevent those who did not deserve charity from receiving local assistance,[92] the

[89] TS 13 J 35.7. Verso contains a list in the same hand as that of the letter proper and next to it a text of a formulary of yet another Hebrew introduction to a letter in that same hand. Goitein (in his Index cards) believes the names represent people to whom the letter on recto was to be sent. Lines are drawn over some of the names, perhaps because a copy of the letter had been sent to them. Abraham's letter was composed by a professional letter-writer, whom we may probably credit for the learnedness of the missive. He left a blank space for the traveler to fill in the name of the would-be benefactor later on! Abraham's signature at the end of the letter is identical with the handwriting of the benefactor's name and different both in form and ink color from that of the letter proper. The attempt to personalize the petition was as transparent as form letters are today. Another example of a letter of appeal with the name filled in the blank space: TS 18 J 3.21.

[90] TS 8 J 6.3v, *Med. Soc.*, 2:462–63, App. B 85 (1200–40). See above at note 51.

[91] A reference to "the foreigners who were wronged" (*inhaḍamū*) might be relevant, but the rest of that line in the letter (which recommends an indigent for private charity) is unfortunately torn off. AIU VII A 43, line 5.

[92] With regard to England and the enforcement of settlement laws, see, for instance, Lynn Hollen Lees, *The Solidarities of Strangers: The English Poor Law and the People, 1700–1948* (Cambridge, 1998), 49–51. On preferential treatment of locals over strangers in an

Babylonian Talmud had considered circumstances in which the Jewish poor seeking charity should be examined to verify that their claim was legitimate. It presents a difference of opinion between two rabbis, which is decided in favor of the second. "Rav Huna said: We examine before giving food but not before giving clothing. . . . R. Judah said: We examine before giving clothing but not before giving food. . . . It is taught according to R. Judah: If he said, 'clothe me,' we examine him first; (if he said) 'feed me,' we do not examine him first."[93] The foreign poor are not mentioned explicitly in this passage, for even the claims of local people sometimes had to be verified, but in practice the law had particular relevance to outsiders, who were by nature unknown to the community, at least at first. The extra-talmudic corpus, the Tosefta, in fact, addresses the issue another way and singles out the foreign poor specifically.[94] It also adds an important nuance that permits donating clothing (without examination) if the needy individual is "known."

> A poor man traveling from one place to another must not be given less than one loaf of bread that sells for a pondion, when the price is four se'a for one sela'. If he lodges for the night, he must be given provisions for the night (*parnasat layla*), oil and pulse. If he stays over the Sabbath, he must be given food for three meals as well as oil, pulse, fish, and vegetables. This applies to a situation when he is not known. *If he is known, however, then he must also be given clothing*. If he goes begging from door to door, one is not obligated to give him anything.[95]

The variant of this Tosefta passage found in the Palestinian Talmud adds the words, "all, according to his dignity" (*ve-hakol lefi kevodo*), after the words italicized above.[96]

Maimonides' codification of the talmudic halakha on examining the poor combines features of both Talmuds and the Tosefta and appears to echo realities of poor relief and the deserving poor in his own time and place. Following the Babylonian Talmud he resolves the disagreement be-

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earlier period, see Christopher Dyer, *Standards of Living in the Later Middle Ages: Social Change in England c. 1200–1520* (Cambridge, 1989), 256.

[93] BT Bava Batra 9a. A similar debate appears in the Palestinian Talmud. "R. Ba Bar Zavda said that Rav and R. Yohanan differed, one saying that we examine before giving clothing, but we do not examine when life (i.e., nourishment) is at stake; the other said, even before giving clothing we do not examine, on account of the covenant with our Father Abraham (i.e., the mark of circumcision)." PT Pe'a 8:6, 21a.

[94] The Tosefta corresponds in structure to the Mishna and was codified perhaps slightly later (early third century of the Common Era).

[95] Tosefta Pe'a 4:8.

[96] PT Pe'a 8:7, 21a. See Saul Lieberman, Tosefta Ki-fshutah. Zera'im (New York, 1955), 1:183–84.

tween Rav Huna and R. Judah in favor of the latter, but he goes further regarding clothing the poor by using the Tosefta (with the variant reading in the Palestinian Talmud just cited).

> If a poor man *unknown to anyone* comes forth and says, "I am hungry; give me something to eat," he should not be examined as to whether he might be an impostor—he should be fed immediately. If, however, he is naked and says, "clothe me," he should be examined as to possible fraud. *If he is known, he should be clothed immediately according to his dignity, without any further inquiry*.[97]

In choosing the Tosefta's nuance as elaborated by the Palestinian Talmud, I think Maimonides was doing more than just being a maximalist. I believe he had contemporary circumstances, particularly (though not exclusively) the problem of the foreign poor, in mind. Poor newcomers to Egypt, let alone needy people writing for help from abroad, were usually not connected with the Egyptian Jewish community, not "known" to local Jews, and so suffered a disadvantage. The halakha in the Babylonian Talmud does not mention the nuance about being "known"—that is found only in the Tosefta and in the Palestinian Talmud's version of the Tosefta passage. Following the Tosefta and the Palestinian Talmud, therefore, Maimonides takes the position that the deservedness of a person who was "known," even his deservedness for clothing, could easily be determined and therefore he should be given charity at once, "without any further inquiry." But how?

Systematic ways were found in Maimonides' Egypt to verify deservedness, especially of foreigners, and to weed out those whose claim to alms was fraudulent. Echoing the rabbinic and Maimonidean texts just discussed, *knowing* the person, or at least obtaining the testimony of someone who knew him or her, was an important key in the verification

[97] Mishneh Torah, mattenot ʿaniyyim 7:6. A passage based partly on the Tosefta and partly on the Mishna (Peʾa 8:7) occurs in the Code two sections further on (mattenot ʿaniyyim 7:8). The Mishnaic passage itself deals only with food and with "provisions for the night" but does not mention clothing explicitly. But Maimonides adds "*if he is known, he must be supplied according to his dignity*," a statement that echoes the sentence in the Tosefta (as expanded by the Palestinian Talmud) regarding examining the poor for clothing. That Maimonides means here clothing is confirmed by what he says in his Commentary on the Mishna, where he explains that "provisions for the night" refer to bedding (as in the Talmud, Bava Batra 9a) and then adds: "If this poor person is known to us (*wa-ʾin kāna dhālika al-ʿani maʿlūm ʿindanā*), he must be supplied with a wrap" (*fa-yuʿṭā lahu mā yaghṭu*). *Mishna ʿim perush Mosheh ben Maimon*, ed. Joseph Kafaḥ (Jerusalem, 1963), Zeraʿim, Peʾa 8:7, 128, where Kafaḥ renders the final words, "*notenim lo kesut*." The printed editions of the Mishna containing Maimonides' commentary (Hebrew only) render imprecisely, "*notenim lo mah she-yeḥsar*" (what he lacks).

"system," employed in both public and private charity. A frequent notation in the poor lists, one that has not been fully understood, illustrates this procedure for public assistance. The phrase is "*maʿrifat* X." It is found in dozens of lists, all but one of them registers of alms recipients. Goitein rendered the phrase "the acquaintance of X" and thought it was simply an informal way of designating people, somewhat like another term, "the relative (*qarāba*) of X."[98]

I believe, however, that the term has a different and technical meaning, and was employed chiefly for the poor, particularly the foreign poor, and for the specific purpose of verifying their deservedness.[99] Local Jews vouched for people if they knew them, or after they came to know them. When, in one bread list, we find *maʿrifatay Azhar*, "the *two maʿrifas* of Azhar," Azhar is certifying the deservedness of *two* unknown indigents.[100] Moses Maimonides, himself originally a foreigner from the west, wrote a letter vouching for an acquaintance of his, a newcomer from Morocco ("he is an acquaintance of mine," *min maʿārifīnā*), and asked the community of Minyat Zifta in the Nile Delta to arrange a collection toward the payment of his poll tax.[101]

The clerks who compiled the alms lists often did not know the names of needy newcomers (or at least, not yet)—only that they were known to someone in the community who could be trusted to vouch for their genuine need. The scribes entered these strangers in the lists as the maʿrifa of the person who knew them, and they might continue to record them as such even after they learned their names. I have found one case where a maʿrifa continued to keep that identifying (and we may add, reassuring)

[98] *Med. Soc.*, 2:438. We also find *qarīb*, for example, in a fragment of a list of contributors, Musallam *qarīb* al-[. . .], ENA NS 77.209, left-hand page, line 3.

[99] I have rarely come across an instance of a person called the maʿrifa of someone else on a list of contributors. Obviously, the vast majority of the benefactors were known people, not newcomers. Two exceptions proving the rule: (1) on a list of people contributing to a pledge drive (pesiqa) are the anonymous "sons of the man" (*banī al-rajul*), who contributed five (dirhems), obviously wayfarers, for the next entry is "their boon companion" (*rafīquhum*), who pledged two (ENA 4100.9c, line 12); (2) someone, possibly a foreigner, listed as the "man we don't know" (*shakhṣ lā naʿlamhu*) on a list of people pledging money for the shrine at Dammūh (TS 12.419v, line 8, *Med. Soc.*, 2:485, App. C 36 [1213–18]).

[100] *TS Misc. Box 8.9r, line 16 (together they received sixteen loaves, roughly double the largest allotment for a single person). Again in *TS NS J 41v, line 1. A "*maʿrifa* of the family of Azhar" appears on a list of beneficiaries that bears some of the same names as lists from around the same time. TS AS 148.14 (a)v, left-hand page, line 3. "The two *maʿrifas* of the physician": TS Box J 1.43, line 15, *Med. Soc.*, 2:465, App. B 100 (wrongly cited as f. 34) (ca. 1030).

[101] *TS 12.192, line 4, ed. Gottheil, *Gaster Anniversary Volume*, 174, 177; Assaf, *Meqorot u-meḥqarim*, 163ff.; trans. Kraemer, *Maimonidean Studies*, 87–92.

marker even after the death of his patron.[102] Perhaps the best translation of the phrase would be "the person known by X."

A fascinating notation found in two tiny Geniza fragments alludes to another facet of the process of determining deservedness.[103] The fragments seem to belong to one and the same alms list. The notation, hitherto not discovered in the Geniza documents, says, in one of the two fragments: "[The wif]e (or widow) of Barakāt: she should be investigated," *yukshaf ʿanhā*; the same notation seems to appear a second time on the other side of that list.[104] The second fragment mentions "the maʿrifa of the son of Daʾūd: he should be investigated" (*[wa-yu]kshaf ʿanhu*), followed immediately by "the [ma]ʿrifa of the son of the dayyan of Barqa: he should be investigated" (*[wa]-yukshaf ʿanhu*).[105] I believe this seemingly innocuous remark found in just a couple of documents represents instructions to verify the deservedness of the recipients when the vouching was considered insufficient. But this happened rarely. I surmise, further, that the vast majority of the names on the alms lists represent applicants who had already come to be known and been judged deserving.

Verification of deservedness was the very purpose of all those letters of recommendation written on behalf of needy individuals or families seeking *private* charity, and this holds true not only for letters from Europe and from distant Islamic lands, but also for the scores of petitions and letters from places closer by.[106] Some are quite explicit about verification. If suppliants knew someone locally they might even refer would-be benefactors to the person to testify to their plight.[107] People familiar with an individual's financial plight could issue formal testimony to his poverty, as in a legal document from Minyat Zifta dated 1175. The witnesses

[102] TS NS Box 324.132, a list of recipients of clothing dated December 1176/January 1177, includes *maʿrifat zayn al-khādim* (the beadle), recto, left-hand page, line 10, and the patron's widow, *armalat zayn al-khādim*, recto, right-hand page, line 9. Cf. *Med. Soc.*, 2:459, App. B 71. Zayn's mother also appears on the list, recto, left-hand side, line 17.

[103] I discovered these fragments while systematically examining a box of crumpled, unconserved fragments at the Jewish Theological Seminary (to which Solomon Schechter could with justification have applied the epithet ascribed to him, "rubbish," regarding the many thousands of Cambridge fragments in which he took no interest).

[104] The fragment is now preserved as *ENA NS 77.291. Of the word "wife" only the last letter is present: *[imraʾa]t Barakāt, yukshaf ʿanhā*, verso, lines 1–2. On verso, lines 4–5: *[im]raʾat Shabbat, [yukshaf ʿan]hā*.

[105] ENA NS 77.242.

[106] I discuss a sampling of letters of recommendation in my article "Four Judaeo-Arabic Petitions of the Poor"; cf. also chapter 7 below.

[107] An example: A Mevorakh b. Abraham writes asking for a shirt (*qamīṣ*) because he is clothingless. He adds: "I ask you please to act charitably towards me as you do with every wayfarer. Mubārak b. ʿAzarya and his brother-in-law, Abu'l-Ṭayyib, know about the situation I was in in Syria (*diyār al-shām*)." TS 13 J 15.6, lines 14–17.

attest that a man imprisoned for debt is "poor, with few possessions. We do not know if he possesses any real estate or cash." A letter of recommendation carried by a Maghrebi heading for Fustat contains signatures attesting to his unfortunate saga and vouches for his deservedness with the words: "He is a deserving person, worthy of charity" (*wa-annahu rajul maḥqūq wa-huwa ahlan li'l-khayr*). A phrase added above the line, praising the poor man's philanthropy prior to his misfortune, notifies the addressee: "Perhaps some of the elders in Fustat know him."[108] Similarly, a poor woman with a blind child writes to the head of the Jews in Egypt, the Gaon Maṣliaḥ ha-Kohen b. Solomon (1127–1139), recommending herself for charitable assistance and adds in a postscript: "The people of al-Maḥalla know how weakened my situation is and how very poor I am (*shiddat faqrihā*)."[109]

Many letters of recommendation served the purpose of verification in and of themselves. Needy wayfarers met local Jews in the synagogue. The latter asked them to deliver a letter to family in Fustat and, in return, offered to recommend them for assistance when they delivered the written message. This procedure became part of the charity system itself and represented a kind of exchange of gifts.[110]

The leaders of the community of Alexandria in 1253 featured "deservedness" in their writ of authorization for one Elʿazar b. Solomon to receive money from the pious foundation to pay his poll tax and also bread from the *quppa* (breadbasket). "We know and verify the des[ervednes]s (*isti[ḥqā]q*) of the [e]lder Abū Man[ṣū]r . . . and his impoverishment and family burden. Since we know about his deservedness (*istiḥqāqhu*), we have written and signed for him." They add further on that they have done this "by reason of his old age and his noble family, which is famous for its knowledge and piety."[111] The term *mustaḥiqq* was still being used in police registers in nineteenth-century Egypt to designate Muslims deemed worthy of charitable assistance.[112]

Illustrating the cross-cultural evidence of "structures of history" from early nineteenth-century England, applicants for poor relief writing from outside their parish of settlement, though eligible by law to continue to

[108] Legal document: *CUL Add. 3423, cf. *Med. Soc.*, 1:204. TS 16.287v, lines 2–4, ed. Ashtor, *Mamluks*, 3:101.

[109] *TS 12.303, margin, ed. Cohen, *Jerusalem Studies in Arabic and Islam* 24 (2000), 456–59.

[110] An example: *TS 10 J 13.13.

[111] Bodl. MS Heb. d 68.101, ed. Ashtor, *Mamluks*, 3:10f; rev. ed. Gil, *Foundations*, 477–78. My reading, *ʿā'ilathu*, "family burden," is different from Gil's, and my interpretation of *istiḥqāq* differs from his as well.

[112] See Mine Ener, "Prohibitions on Begging and Loitering in Nineteenth-Century Egypt," *Der Islam* 39 (1999), 331, and her "The Charity of the Khedive," in *Poverty and Charity in Middle Eastern Contexts*, ed. Michael Bonner, et al., 190.

receive their allocation, often sought and obtained confirmation of their continuing need, and these attestations appear noted on their letters sent to the Poor Law administrators back home.[113]

Countering Reluctance to Give to the Foreign Poor

A frequent refrain in letters to Egypt regarding indigent Jews from afar calls upon a Hebrew phrase associated in the Talmud and the midrash with Abraham's generosity toward "every wayfarer," *kol ʿover va-shav*. The Hebrew locution, richly resonant with echoes of the revered biblical forefather's hospitality toward visitors and encouraging would-be benefactors to imitate his good deeds, would be employed even when the letter was written in Arabic. In a typical example, a writer recommends a poor cantor who was exiled from Spain for charity: "I am asking you to deal with him as is your beautiful habit with regard *to every wayfarer*."[114] This oft-encountered appeal to philanthropy for the wayfarer, with its echoes of Abraham's munificence, should not be dismissed as meaningless rhetoric. I believe it was used with purpose, to counteract the reluctance to give to the foreign poor, in keeping with the halakha that underprivileged "the poor of another town."

Occasionally we hear complaints from foreigners about lack of charitable hospitality. Writing in Hebrew to two eminent persons evidently living in Egypt (Fustat), a needy foreigner, evidently from a European country (Byzantium?), requests assistance for his family, who are "in great distress, in the hands of Christians" (likely as captives). He protests that he was not treated kindly by the local Jews—we may imagine because as a foreigner he had low priority in charitable giving. "Now, lift up your eyes toward hea[v]en," he implores, "[and] treat me in keeping with your

[113] Some examples in Sokoll, *Essex Pauper Letters*, 99, 270, 284, 299, 300.

[114] TS NS J 120, lines 14-15, *yafʿal maʿahu mā huwa ahluhu kamā jarat ʿādathu al-jamīla maʿa kol ʿover va-shav*; cf. *Med. Soc.*, 5:189. Two other examples: *TS 18 J 4.4, line 24, *yaʿaseh ʿimmo ke-vesto ha-tova ʿim kol ʿover va-shav* (a Hebrew letter from Ascalon recommending a needy person traveling to collect money so he can settle in Jerusalem; the Hebrew here is an exact equivalent of the Arabic in the previous letter), ed. Scheiber, *Geniza Studies*, 79–81; TS 10 J 14.22, line 10, *al-shāmil le-khol ʿover va-shav*, (from a wayfarer in need addressing a would-be benefactor). On the Hebrew term "wayfarer" as used in the Geniza letters, see *Med. Soc.*, 5:514 n129. Cf. BT Soṭa 10b; Yalkuṭ Shimʿoni, Va-yera', #95; and, more expansively on Abraham's hospitality toward visitors, Avot de-Rabbi Nathan, 3d ed. Solomon Schechter (New York, 1967), version A, chapter 7, 33–34, trans. Goldin, *The Fathers According to Rabbi Nathan*, 47. Composite narrative about Abraham's renowned hospitality in Louis Ginzberg, *The Legends of the Jews* (reprint, Philadelphia, 1968), 1:241–43. Abraham's hospitality stood as a model for Muslims and Christians as well. See Olivia Remie Constable, *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge, 2003), 48.

good habit, as you are accustomed to doing with *every wayfarer*, for I came on account of your reputation. Support me as you are able, and it will be considered an act of charity on your part, as it is w(ritten): 'For the work of charity shall be peace' (Isaiah 32:17)."[115]

The Jewish political leadership in Fustat and other local influential notables—many of whom were immigrants themselves—also took measures to counter the potential discrimination against foreign indigents sanctioned by the halakha of "the poor of another town." They regularly responded to petitions from foreigners for charity. In a letter from Jerusalem written around 1070, God is praised for bringing the ḥaver ("member" of the Jerusalem yeshiva) Abū Zikrī from the west "to be a high hill for all who come from other places, from Iraq, Syria-Palestine, North Africa, and Byzantium, and to take pity on them, to give them money out of his own pocket, and to make them benefit from his high rank (*jāh*)."[116] This Abū Zikrī has been identified either with Judah b. Moses ibn Sighmār, the prominent, learned merchant from al-Mahdiyya, Tunisia, who settled in Fustat around 1048,[117] or the nagid Judah b. Saadya, the first "head of the Jews" of Egypt and Palestine (ca. 1065–1078).[118] Of another head of the Jews, the nagid Samuel b. Ḥananya (1140–59), a petitioner says, "it is well known that you are the patron of *every wayfarer*."[119] The nagid Abraham Maimonides, head of the Jews from 1205 to his death in 1237, issued an order to the cantor Abu'l-Majd to pay the bearer ten dirhems from a pious foundation as "assistance for a deserving (*mustaḥiqq*) traveler."[120]

Fascinating in this context is a letter recommending a man from Baghdad, written in the summer of 1229 by Solomon b. Elijah in Fustat. It is addressed "to the holy communities in Egypt" because the indigent wanted to make the rounds of other Jewish communities in search of charity. As a foreigner, he might have known, or been informed, that especially in the capital the competition for limited resources between needy locals, including family, and newcomers was stiff. The recommendation is endorsed on the back by the judge Yeḥiel b. Eliakim of Aleppo,

[115] This verse is also understood in the midrash and in many Geniza letters as "causing others to act charitably brings peace," an interpretation that only requires a slight change in the vocalization of the consonantal biblical text.

[116] Dropsie 397, lines 5–7, ed. Gil, *Ereṣ yisrael*, 3:75; *Med. Soc.*, 1:39 (my translation is a bit more literal than Goitein's).

[117] *Med. Soc.*, 1:159.

[118] Gil, as cited two notes above. See Cohen, *Jewish Self-Government*, 133n91.

[119] Mosseri L 9 (IV, 4), line 17.

[120] TS Box K 25.240, no.15, *Med. Soc.*, 2:449, App. B 39b (1210–25). At the end of a letter about other matters, a writer states: "Whatever charity you do for Ismāʿīl al-[. . .] he deserves (*istaḥaqqahu*) because he is poor and confined to his house; he is a foreigner." AIU VII E 158, end.

who, as an immigrant to Egypt himself, could be expected to exert his influence on behalf of other newcomers. But there is more. Solomon b. Elijah embellishes his testimonial with a mini-sermon on the deservedness of the poor. Such a midrashic excursus is extremely unusual in these letters. We may well imagine that his preaching reflects the extra effort needed sometimes to convince people to give to foreigners, especially in the light of potential resistance supported by the halakha of "the poor of another town."[121]

A century or so later, when the Jewish community of Egypt (like the society around it) was in economic decline, we find Maimonides' great-great-grandson, the nagid and head of the Jews, Joshua (d. 1355), who lived in Cairo, frequently addressing letters of recommendation to the community of Fustat on behalf of needy foreigners. In one, he asks a cantor in nearby Fustat to see to it that the letter-bearer, an orphan, be given shelter when he arrives, and instructs the addressee to ask the elder Isaac about him if there is any doubt that he is deserving of charity.[122] In another letter addressed to the same cantor, the nagid introduces a certain Joseph from Safed, in Palestine, and instructs the cantor to "inform the community about his situation, so they will open their hands wide in giving to him."[123]

Even with this help from the local elite, foreigners still knew the power of traditional priorities expressed in the halakha about "the poor of another town." A woman in need describes her plight in detail to the head of the Jews, Samuel Nagid b. Ḥananya. At the end, in a postscript written in a different hand (suggesting it was written sometime after the rest of the letter), she adds: "Your slave has a family relationship (*ḥurma ahliyya*) with your excellency. Your excellency's father and my father are the children of your excellency's maternal aunt. Your excellency is the patron of foreigners, all the more so those who are his slaves and his family."[124]

The problem faced by the foreign poor—discrimination in philanthropic priorities supported by ancient law and the issue of examining

[121] *TS Arabic Box 46.253, *Med. Soc.*, 2:509, App. C 140 (1229).

[122] *TS 6 J 6.21, trans. Goitein, *Tarbiz* 54 (1985), 82.

[123] TS NS Box 31.7, trans. Goitein, *Tarbiz* 54 (1985), 81. Others: TS NS J 258, trans. Goitein, ibid., 84. TS NS J 336. TS 8 J 13.23, summarized briefly by Goitein, ibid. Also extant is an interesting letter from a foreigner living in Palestine and addressed *to* Joshua and the Cairo community. Jacob the Poet b. Isaac b. David, the Maghrebi of Hebron asks the nagid to provide him with regular assistance, as was done by a physician in Damascus who sent him a stipend of eight dirhems every month. The congregation of Hebron was too poor to maintain its officials, who had to look for income from occasional visitors from abroad. TS 24.63, ed. Mann, *Jews*, 2:329–30.

[124] TS 13 J 20.27, verso, lines 7–9. For *ḥurma*, as "famille d'un homme" see Kazimirski, *Dictionnaire arabe-français*, 1:415. I am hard-pressed to explain the family relationship described by this woman, and several of my colleagues have found it equally enigmatic. The woman may not have been exact about the relationship herself.

the poor—also reverberated in Jewish communities in medieval Europe. A sermon delivered by an anonymous preacher in Byzantium around 1425 cites authorities as early as the eleventh or twelfth century.

> R. Isaac ben R. Baruch wrote in a responsum: "The talmudic statement 'The poor of your town come before the poor of a different town' means that you do not send charity to a different town if there are those in your own town who need it. But as for those *who come from a different town to yours* (emphasis mine), we do not say that 'The poor of your town come before.' Rather, first they diminish the provision for the poor of the town and give to the poor who have come there what they need to eat."
>
> Even though [R. Jacob ben Asher, d. in Spain in 1340] the author of the *Arbaʿa ṭurim* does not accept this opinion (*Yoreh deʿa*, 251, where R. Isaac's responsum, at the end, says *she-yukhlu* "what they are able," not *she-yo'khlu*, "what they need to eat") nevertheless I [the author of the sermon] believe there is a sensible reason for it. The poor who come from a distant land, not knowing anyone, may die of hunger. Therefore there is a great reward for one who draws them near and shows hospitality. With the poor who come from afar, we should not ask questions such as "Who is he?" or "What is he?" before giving to him. Rather, we should give to whoever opens his hand to receive. Even with a Gentile, the sages said, "We feed him together with the impoverished Jews, for the sake of peaceful relationships." All the more so for any Jew in need.[125]

The rabbi Isaac ben R. Baruch quoted in this sermon is probably the Tosafist by that name, the student of Rabbenu Tam (d. 1171), who lived in France or Germany in the second half of the twelfth century.[126] It is less likely, in my opinion, that he is Isaac b. Baruch ibn Albalia, who lived in Andalusia in the eleventh century and was a contemporary of Isaac Alfasi (d. 1103). In either case, we see that not only in the period we are considering in this book, but also in fourteenth-century Christian Spain as well as in fifteenth-century Byzantium the issue of "the poor of another town" attracted the attention of rabbinic scholars, who tried to mitigate possible discrimination toward foreigners in charitable giving.

[125] CUL Add. 1022.131 (not Geniza). See Marc Saperstein and Ephraim Kanarfogel, "A Byzantine Manuscript of Sermons: A Description and Selections about a Prayer and the Synagogue" (Hebrew), *Peʿamim* 78 (Winter 1999), 164–84; passage extracted on page 173. I am grateful to Professor Saperstein for allowing me to use an English translation of this passage that he had prepared. He discusses this preacher also in his book, *Jewish Preaching 1200–1800: An Anthology* (New Haven, 1989), 96–98.

[126] Ibid., 131. The responsum is quoted by Rabbi Meir of Rothenberg (d. 1293) in the edition, *Sefer shaʿarei teshuvot* (Rabbi Meir von Rothenburgs bisher unedirte Responsen), ed. Moses Bloch (Berlin, 1891), part 1, no. 512.

A Comparison with the Foreign Poor in Pagan Antiquity, Early Christianity, and Islam.

The status of the foreign Jewish poor in medieval Egypt begs comparison with the position of the foreign poor in the pagan and early Christian worlds as well as among Muslims. Generally in pagan antiquity, as we noted briefly in the Introduction, pity did not figure as a factor in philanthropy. Individual public benefactors (Greek *euergetai*), or the state itself, gave to citizens regardless whether they were in need or not, or built public buildings in order to enhance their own prestige and, ultimately, to receive some sort of return from the beneficiaries of their largesse.[127] The ancient Greek and Hellenistic-Roman worlds also knew the institution of the hostel for foreigners and other comers, the *pandocheion*, the etymological cognate of Aramaic *pundaq* and Arabic *funduq*. Itinerants moving from place to place were often poor, but poverty was not a criterion for admission to these shelters (in fact, fees were usually collected to stay and eat there). Often enough, travelers were sick, though that, too, was not a requirement for staying in these facilities for transients.[128]

The pre-Christian ancient world thus had a formal institution for dealing with foreigners, but only incidentally with the poor among them. Judaism was different in this respect, for as early as biblical times it associated help for the "stranger" with help for the needy. There is some archaeological and (not entirely conclusive) talmudic evidence that Jews in late antiquity in Palestine provided shelter for the needy in the synagogue compound,[129] and more explicit proof from the letters of Pope Gregory the Great (590–604) with regard to Sicily.[130] As we shall see, Geniza documents indicate that a

[127] All of this is discussed in the important book by Hands, *Charities and Social Aid in Greece and Rome*.

[128] See Constable, *Housing the Stranger in the Mediterranean World*, 1–39.

[129] A famous inscription from Jerusalem from the first century CE describes the donation by Theodotos son of Vettenos of a synagogue and states that the gift also included "a hostel (*xenona*) and rooms and water amenities for the shelter of foreigners (*xe[n]es*) in need." Baruch Lifshitz, *Donateurs et fondateurs dans les synagogues juives. Cahiers de la Revue Biblique*, vol. 7 (Paris, 1967), 70–71. Cf. Jean-Baptiste Frey, *Corpus Inscriptionum Judaicarum*, 2 vols. (Vatican City, 1952), 2:332–34 (no. 1404), and recent discussion in Levine, *The Ancient Synagogue*, 54–56. Levine also summons the talmudic evidence, for instance, a statement in BT Pesaḥim 101a about "people who eat, drink, and sleep in the synagogue" on Sabbath and holidays (where the word "sleep" does not appear in many manuscripts), and other traditions where lodging in the synagogue is a possibility, though not stated explicitly. Ibid., 381–82. The discussion anyway may refer to Babylonia, not to Palestine. See also S. Klein, "Das Fremdenhaus der Synagoge," *Monatsschrift für Geschichte und Wissenschaft des Judentums* 40 (1932), 545–57, 603–604; 41 (1933), 81–84.

[130] Gregory writes regarding the Jews of Palermo (October 598): "Some time ago, we have written to Victor, our brother and co-bishop, that, whereas some Jews complained in a

community-sponsored hostel (called funduq) and sometimes the synagogue itself offered shelter for homeless and needy foreigners in medieval Fustat.[131]

Early Christianity, heir to the Old Testament and born during the rabbinic period, inherited both the pagan and the Jewish attitudes toward the needy foreigner, and this and other factors led to the introduction, following the Christianization of the Roman Empire, of the *xenodocheion* or *xenon*, in Greek, *hospitio* in Latin, a charitable hostel for needy Christian wayfarers.[132] Thereafter these shelters evolved into real hospitals for the treatment of the ill—who could be foreigners or local, poor or economically self-sufficient. The transition to hospital began first in fourth-century Byzantium and much later in western Latin Europe.[133]

Islam has similar notions about the wayfarer. The Qur'ān enumerates eight categories of people who are eligible for the benefits of the compulsory alms tax, the zakāt, a loan word from Hebrew and Aramaic and carrying the meaning "charity" as transmitted to Islam by Judaism and Christianity.[134] One of the eight is *ibn al-sabīl*, the wayfarer.[135] This fit the circumstances of the very early Islamic community and the pre-Islamic Bedouin society on which it was founded.[136] It is possible that Jews in the Islamic world, as we observe them in the Geniza, were, in turn, influenced by Muslim insistence upon providing charity for the wayfarer. This example of philanthropic prioritization in favor of the traveler in the larger society may have somewhat offset the strict application of the halakha that underprivileged the wayfarer in Judaism.

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petition presented to us that synagogues situated in the city of Panormus (Palermo) were occupied by him without reason, together with their hostels (*cum hospitiis suis*), he should abstain from consecrating them until the case could be adjudged. Further on in the letter Gregory describes the structure as "the synagogues themselves with the hostels that are within them or adjoined to their walls (*cum his hospitiis quas sub ipsis sunt vel earum parietibus cohaereunt*)." Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages* (Detroit and Jerusalem, 1997), 434–35.

[131] Below, chapter 8, and *CUL 1081 J 31; TS NS J 239v, line 6 (al-Bilbaysī fi'l-funduq) and line 9 (al-ghurabā' fi'l-kanīs).

[132] See, recently, Brown, *Poverty and Leadership*, 33–35.

[133] Constantelos, *Byzantine Philanthropy and Social Welfare*, 157, 186, 214; Timothy S. Miller, *The Birth of the Hospital in the Byzantine Empire* (Baltimore and London, 1985); J. H. Mundy, "Charity and Social Work in Toulouse, 1100–1250," *Traditio* 22 (1966), 252ff.; Mollat, *The Poor in the Middle Ages*, 146–53; Peregrine Horden, "What Difference Did Hospitals Make? Poverty and the Beginnings of Institutional Charity in Byzantium, Western Europe, and Islam," *The Journal of Interdisciplinary History* 35:3 (Winter, 2005), 361–89.

[134] Franz Rosenthal, "Sedaka, Charity," *Hebrew Union College Annual* 23, part 1 (1950–51), 419–23.

[135] E.g., Sura 9:60.

[136] Bosworth, *The Medieval Islamic Underworld*, part 1, 17.

The letters of appeal we have examined, it must be reiterated, come mainly from suppliants for private charity, most of whom were conjuncturally poor and would not go on the public dole if they could help it. Their anxiety about possible neglect rose in proportion to their dependence upon private philanthropy—hence their concerted attempts in the rhetoric of their letters to counter the presumed tendency of some to favor family or the local poor over the foreigner. We may assume, however, that most people had their pleas answered and that many more received private charity without having to petition for help when they arrived in Fustat.

The Geniza documents, especially the alms lists but also the plethora of letters of appeal, reveal that the problem of the foreign Jewish poor reached enormous proportions in eleventh- to thirteenth-century Egypt. This resulted from geographic mobility, local economic factors, man-made and natural forces, and the reputation of Fustat Jews for munificence. Whether they arrived as wayfarers, immigrants, captives, or refugees, foreigners taxed the pity of the resident population, for there were many deserving indigents closer to home and especially in the immediate and extended family. Though in theory the halakha privileged "the poor of your household" and "the poor of your town" over "the poor of another town," our Geniza data show that by and large the Jewish foreign poor, like the indigent ibn al-sabīl in the surrounding society, found charitable relief among their coreligionists. Moreover, given the masses of needy foreigners in Egypt, the examination of the poor stipulated by the Talmud was kept simple, based on a system of personal vouching for the deservedness of newcomers. Whatever restraining effect the talmudic law about "the poor of another town" might have had on the philanthropic preference of Jews, especially as codified in our period by Maimonides in his laws of "Gifts for the Poor," the Geniza documents, especially the alms lists, show that foreigners were cared for in some manner or another by the public charity of the community.

The particularities of the Jewish case emerge more strikingly when we compare them with early modern England before the Poor Law, where poor relief was restricted to those resident in a city (having a "settlement" in the terms of that age). In England (as elsewhere in Europe) the motive was negative—to combat unwanted vagrancy.[137] In the Jewish case, with its roots in ancient texts, the motive was largely positive—to privilege family and neighbors.

[137] Margaret Pelling, "Old Age, Poverty, and Disability in Early Modern Norwich: Work, Remarriage and Other Experiences," in *Life, Death and the Elderly: History and Perspectives*, ed. Margaret Pelling and Richard M. Smith (London and New York, 1991), 80.

The charitable responses to poverty were varied. We shall examine them in greater detail in chapter 8. But before that, we turn our attention to two categories of the foreign poor that especially burdened the Jewish community: captives and refugees. A third category, the proselytes, usually Christian converts to Judaism who left their homes in western Europe or Byzantium for the shelter of Islam, constituted a kind of refugee, too.

Chapter Three

CAPTIVES, REFUGEES, AND PROSELYTES

Ransom and Care of Captives

AS IN ISLAM, where captives constitute one of the eight classes of people to whom charity is due from the alms tax (zakāt; Sura 9:60); and as in Christianity, where aid to captives constitutes one of the six charitable acts ensuring salvation in the Gospel parable of the Last Judgment (Matthew 25:31–46); so too in Judaism, ransom of captives is considered a paramount charitable miṣva.[1] Though normally foreigners, Jewish captives who were brought to Egypt for ransom formed a group whose deservedness was unquestionable. Their need for charity was especially emphasized because their fate if not ransomed was slavery, if not worse. Their suffering is already cited in the Talmud as reason for deeming their ransom a preeminent religious duty. In the talmudic period, monies were allocated from the Jewish communal fund (quppa) and perhaps also from a dedicated coffer. Private charity formed another important source, as it did in the Middle Ages.[2]

Meeting the immediate needs of captives—their physical safety and freedom—was extremely costly. Whether victims of war or of seagoing piracy, the normal price charged for one captive in the classical Geniza period was 33 1/3 dinars, enough money to support a middling family for more than a year.[3] This far exceeded the level of need and of giving for routine eleemosynary purposes—the food, clothing, and money distributed to the poor. It was a remarkable achievement that the Jewish

[1] On ransom of captives as an aspect of charity in the Byzantine Empire, see John J. Boojamara, "Christian *Philanthropia*: A Study of Justinian's Welfare Policy and the Church," *Byzantina* 7 (1975), 365–66. For Judaism, see BT Bava Batra 8b and further on in this chapter.

[2] Eliezer Bashan, *Shivya u-fedut ba-hevra ha-yehudit be-arṣot ha-yam ha-tikhon* (*1391–1830*) (Captivity and Ransom in Mediterranean Jewish Society [1391–1830]) (Ramat Gan, 1980), 19–24.

[3] *Med. Soc.*, 2:137. The figure 33, followed by a lacuna that is to be completed by "and one third dinars," occurs in a letter from the two Alexandrian congregations concerning captives from Byzantium, ENA 4020.44, lines 11–12, ed. Mann, *Jews* 2:91–92 (his completion is to be corrected). On taking of captives in piracy and war, see *Med. Soc.*, 1:327–30.

community of Egypt managed to rescue captives through ad hoc, voluntary means, rather than through organized institutions with substantial endowments and contributions such as the medieval Christian orders for redemption of captives.[4] The accomplishment is all the more noteworthy since Jews lacked the option open to Muslims of captive exchange.

The figure of 33 1/3 dinars, we must hasten to add, was not an inflated sum charged Jews because of their renowned readiness to save the life of a coreligionist. It was the going rate for captives in general, Muslims and Christians as well as Jews. The Muslim geographer al-Muqaddasī (d. 990) reports this detail in a picturesque contemporaneous description of ransoming of Muslim captives in the coastal cities of his native Palestine.

> The warships and the galleys of the Byzantines (*al-rūm*) come into the ports, bringing captives taken from the Muslims, offering them for sale—three for a hundred *dīnār*s. At each of these stations (*ribāṭ*s) there are men who know their language. . . . Drums are beaten at the tower calling people to their respective watch stations. They [the local people] move out in force, under arms, and the young men of the countryside assemble. Then the ransoming begins. One man is exchanged for another or they offer money or signet-rings until all the those who have been brought by them (the Byzantine ships) have been ransomed.[5]

[4] See, for instance, James W. Brodman, *Ransoming Captives in Crusader Spain: The Order of Merced on the Christian-Islamic Frontier* (Philadelphia, 1986), and Yvonne Friedman, *Encounter between Empires: Captivity and Ransom in the Latin Kingdom of Jerusalem* (Leiden, 2002), 187–211, and for a comparison between ransoming captives among Jews, Christians, and Muslims, see idem, "The 'Great Precept' of Ransom: The Jewish Perspective," in *La liberazione dei "captivi" tra Cristianità e Islam*, ed. Giulio Cipollone (Vatican City, 2000), 161–71. Brodman calculates that the cost of redeeming one Christian captive, between one hundred and two hundred sous (solidi), represented "up to two years' income for a laborer, the annual salary of a moderately well-off individual, or the annual rental of 3 to 6 houses"; ibid., 125.

[5] The quotation is from al-Muqaddasī's *Aḥsān al-taqāsīm fī maʿrifat al-aqālīm*, ed. M. J. De Goeje (Leiden, 1906), 177. Quoted in Mann, *Jews*, 1:87 from Guy Le Strange, *Palestine under the Moslems* (1890; reprint Beirut, 1965), 23–24, and in Bergman, *Ha-ṣedaqa be-yisrael*, 43, who incorrectly dates the author in the twelfth century and does not mention that the Geniza confirms his information. I have also consulted the recent translation, al-Mudaddasi, *The Best Divisions for Knowledge of the Regions*, trans. Basil Anthony Collins (Reading, 1994), 161. The phrase "one man is exchanged for another" (*rajūl yashtarī rajūl*) refers to exchange of captives (Byzantine captives in the hands of the Muslims for Muslims in Greek hands), as the Anthony translation understands it. Le Strange's "some will be able to ransom a prisoner" fails to capture the correct meaning.

Captives of Pirates or Warships

While al-Muqaddasī's account conveys some of the urgency associated with the ransom of captives, the Geniza documents flesh out the picture of the captive's experience with firsthand details mostly unavailable in other sources for the Islamic or Christian world.[6] Sometimes we even hear the voices of captives themselves.

In the short term it was the personal security of the captives that was at stake. Pirate captors used intimidation and even acts of violence to extort ransom money from would-be redeemers, sometimes even at an excessive rate. Pirates might even beat their captives in the presence of potential "buyers" in order to evoke pity and extort payment.[7] A letter sent to Egypt from an unstated place (evidently outside the country) alludes to pirates who subjected their Jewish prisoners to torture and hard labor and mentions a young girl who was threatened with rape. Despite these dire circumstances, the captives refused to accede to the inflated price that the physical abuse was meant to coerce. In keeping with Jewish law they argued, presumably with the pirates themselves, that they were prohibited from complying lest they encourage such extortion in the future.[8]

The terrifying plight of captives threatened with violence and their urgent need for rescue occupies center stage in a moving appeal from several captives addressed to the head of the Jews, Judah b. Saadya (in office ca. 1065–78) in Fustat.[9] The unfortunates had been brought from Byzantium to Egypt, where they were sold to Muslims and Christians for forty, fifty, seventy, eighty-seven, and one hundred dinars. After five days, the heads of the local Jewish community (doubtless Alexandria) lodged a complaint with the local Muslim authorities, and, as a result, the captives were re-sold to the pirates. Clearly, the Muslim authorities also objected to extortionate ransom, which could be employed against Muslim captives too. But the pirates became enraged and threatened to murder the

[6] For the Christian world, Brodman laments that information about the redemptionist enterprise (as opposed to data on the organization and functioning of caritative institutions), is "exasperatingly sparse." Brodman, *Ransoming Captives*, 104. See also Friedman, *Encounter between Enemies*, 8–9. Nonetheless, picturesque details of the plight of Christian captives of Muslims found in some Iberian Christian sources parallel and even go beyond many of the stories of tribulation of Jewish captives related in Geniza letters. See Rodriguez, "Prisoners of Faith," 35–37, 51–82.

[7] ENA 2804.9, lines 21–22, ed. Mann, *Jews*, 2:88–89; rev. ed. Bareket, *Yehudei miṣrayim*, 121–23; partly trans. Joshua Starr, *The Jews in the Byzantine Empire 641–1204* (Athens, 1939), 186–87. Cf. *Med. Soc.*, 1:328.

[8] TS 13 J 20.25, ed. Mann, *Jews*, 2:88. Cf. Mishna Giṭṭin 4:6 and BT Ketubbot 52b.

[9] See Cohen, *Jewish Self-Government*, 158–71.

Jews. "They rose up against us cruelly and tied our hands behind us so tightly that they bled, and shackled our feet mercilessly." Desperate, the local Jewish leaders stood bail for them, agreeing to return the captives to the pirates if they did not pay the (inflated) ransom by a certain date. Seeing how hard-pressed the local Jews were trying to come up with the money ("they cannot even support us"), the captives asked the head of the Jews and the community in the Egyptian capital to provide the necessary funds. The deadline for their death sentence (or, they add, their resale to the Muslims and Christians, presumably at the exorbitant prices originally paid) was fast approaching, for the pirates claimed they were about to depart on a raid for booty in Byzantium and did not have time to try to sell the Jews elsewhere.[10] The demand for instant payment magnified the captives' need and the desperate urgency to muster the ransom. We do not know the outcome. Rarely does the Geniza preserve outgoing correspondence, unless the letters are drafts.

The voices of those who were beseeched to redeem captives also ring clear in the Geniza letters, when they were writing to Fustat. The Jewish community of Alexandria stood on the front line of this recurring charitable effort.[11] Pirate vessels or warships carrying captives constantly appeared at the doorstep of the Alexandrian Jewish community. In the continuation of the letter about the mistreated captives just described, the Alexandrians report: "We had hardly relaxed when a(nother) ship arrived from Byzantium with many captives, among them a doctor and his wife. This adde[d to our] grief and pain."[12]

The burden and agony of the Jews of Alexandria come out dramatically in the following story from the same general period of time.

> [N]ews came that o[ther] captives had arrived. We could [not] believe it until the slaves of one of the Arabs named Yabqī ibn Abī Razīn arrived, accompanied by seven Jewish m[erchants] from the town of Attalaeia (modern Antalya in the south of Asia Minor), whom Yabqī brought to the court (Hebrew *moshav* = Arabic *majlis*) of the elder, our mighty Nethanel ha-Kohen, (may the) M(erciful) w(atch over him) b. Elʿazar. When we saw them, our grief grew and our wailing intensified and we wept about the severe day (of judgment). In anguish we said, "Woe is us, how our iniquities have caused us to be dispersed to the four corners (of the earth) and brought as captives from place to place."

[10] TS 10 J 27.8, ed. Mann, *Jews*, 2:364–65; partial English trans. Starr, *Jews in the Byzantine Empire*, 201.

[11] See Mann, *Jews*, 1:87ff.; *Med. Soc.*, 2:137–38; Bareket, *Shafrir miṣrayim*, 71; Frenkel, "The Jewish Community of Alexandria," 88–93.

[12] ENA 2804.9, lines 23–26, ed. Mann, *Jews*, 2:88–89; rev. ed. Bareket, *Yehudei miṣrayim*, 122–23.

All told, the community had been hit with the arrival of eighteen captives, costing a total of six hundred dinars in ransom money alone.[13]

Similar circumstances and similar rhetoric reverberate in another letter from the same port city, also addressed to Fustat. Two captives had arrived. In a seemingly strange exchange of gifts, perhaps a confidence-building gesture or a ploy to avoid the appearance of overpaying a ransom, the pirate's agent delivered one captive as a "gift" to the same notable, Nethanel ha-Kohen, and in turn, Nethanel gave the man one and a half times the captive's normal value as a "gift." For the second captive, however, he paid the standard price of 33 1/3 dinars. Then news arrived that an Arab pirate (the son of one of the pirates involved in the previous episode) had brought ten Jewish captives from the same Attaleia to a port in North Africa. "We could not believe it un[til] we received their letter addressed to us and to Nethanel ha-Kohen" asking to be rescued. "[We were pained and] wept profusely and said, woe, how our sins and iniquities have caused our brethren to fall into captivity."[14] The ongoing emotional and financial strain on the Alexandrian Jews, whose help, we see, was entreated even from distant ports (the pirate and the Attaleians certainly knew where to turn), was indeed enormous.[15]

It is not only the Geniza letters that tell the story of Alexandria's difficulties. In 1180 Maimonides received a legal query that had its origins in an episode of ransoming a captive in Alexandria. A certain pirate had presented the Jews with the exorbitant price tag of one hundred dinars[16] for one captive. The man was suffering and his life was in danger. The local elders conducted an emergency campaign in the city, but could only come up with sixty. Standing surety, they signed a promissory note in the Muslim court for the balance so the captive could be released immediately (that is implicit in the story). When the time for payment arrived the captor pressed the elders hard in the Muslim court. Meanwhile, "following what was always the custom," they had appealed to other communities in Egypt, sending emissaries from place to place. The captor would

[13] Bodl. MS Heb. a 3.28, lines 30–34, ed. Cowley, *Jewish Quarterly Review*, o.s 19 (1907), 250–54, summarized in Mann, *Jews*, 1:88–90, partly trans. Starr, *Jews in the Byzantine Empire*, 190–91. The correct identification of the place-name is Cowley's. Mann thought the Hebrew word, Anṭalia, referred to Anatolia. See also Starr, ibid., 186. The translation "m[erchants]" reflects the completion *s[oḥarim]* (thus Cowley) in the manuscript.

[14] TS 13 J 14.20, ed. Mann, *Jews*, 2:87, partly trans. Starr, *Jews in the Byzantine Empire*, 186. Cf. also *Med. Soc.*, 1:329.

[15] Other letters from Alexandria include ENA 2804.11, ed. Mann, *Jews*, 2:89–90, torn off on the right margin. It mentions a sum of money (fifty dinars) and eight still owed, seemingly for the ransom of captives.

[16] *Peraḥim* in this medieval Hebrew translation of *dīnār* in the lost Arabic original. The singular of the Hebrew word, meaning "flower," translates "florin," a medieval gold coin patterned on the Florentine original.

not wait, however. Furthermore, word had it that other communities were themselves hard pressed to come up with the needed money. So, by communal agreement, the elders decided to tap another resource: the estate (it amounted to thirty dinars) of a deceased Jew whose heirs (if he had any) had not yet shown up on the scene. The man safeguarding the estate refused to surrender the money for fear of repercussions from the deceased man's heirs, so some members of the community stood surety for the amount. This, in turn, led to legal issues unrelated to the ransoming of the poor captive, which constituted the actual reason for the query to Maimonides and his response.[17] Maimonides' involvement as jurist in 1180 will take on additional poignancy later in this chapter when we discuss other campaigns to ransom captives in which he played a major role.

Captives of Crusaders

Corresponding to the plight of captives seized by pirates was the predicament of Jews captured in war and transported to enemy territory. In our period, two wars (as distinguished from Bedouin depredations in eleventh-century Palestine) affected the immediate region of Egypt: the Seljuk invasion and conquest of Palestine in the 1070s, and the Crusader conquest of most of Palestine in 1099 and the ongoing Christian-Muslim conflict that followed. In the Geniza sources, we hear about captives taken and held by Crusaders in neighboring Palestine. The Latin Christian captors seem to have lost some of the ardor to slaughter Jews that they (or many of them) had displayed at the start of the Crusade in Europe in 1096, especially in the Rhineland. Having reached their goal, the triumphant Christians preferred now to take captives, hoping that some of them would convert to Christianity, or, thinking more practically, intending to profit from selling them as well as books plundered from their synagogues to Jews living in Muslim territory.[18]

A moving letter (in draft form) from Cairo at the time of the Crusader conquest of Jerusalem illustrates the reaction of Jews in neighboring Arab lands. It is addressed to the community of Ascalon, which escaped conquest at the time (it was not captured until 1153), and describes how, with a moving plea, the head of the Jews in Egypt, the nagid Mevorakh b. Saadya, inspired local Jews to contribute 123 dinars to ransom Torah scrolls and prisoners that the Crusaders had brought to Ascalon to be

[17] Moses ben Maimon, *Teshuvot ha-Rambam* (Responsa), ed. Joshua Blau (3 vols., Jerusalem, 1957–61), 2:733–34 (no. 452) (hereafter: Rambam); cf. *Med. Soc.*, 1:329.

[18] S. D. Goitein, "New Sources on the Fate of the Jews at the Conquest of Jerusalem by the Crusaders" (Hebrew), in *Ha-yishuv*, 231–58. See also my review of *Ha-yishuv* in *Tarbiz* 53 (1983–84), 149–54.

sold to Jews. The writer refers to the conquest of the Holy City as "the colossal calamity" (*al-miḥna al-ʿamūma*) and to the Christians as "enemies of God and haters of His people" and "the evil kingdom, may God destroy and annihilate it" (an allusion to rabbinic hostility toward Roman Christendom). Goitein comments that the amount of money raised seems relatively small. He adds, however, that this may have been just the beginning of the effort. Moreover, the event followed four years of pestilence and plague that had impoverished the wealthier class. Finally, Goitein observes, only a small portion of the Jews lived at that time in Cairo (most still lived in Fustat).[19]

Awareness of Jewish solidarity and charitable generosity may have induced one Christian captor to demand a huge sum in Ascalon for a single victim, probably three times the going rate, but the community was unable to bear the burden alone. The captor had provisionally released his prisoner, giving him extra time to come up with the money, but the prisoner, for his part, was afraid that time was running out and that his Christian master would return him to captivity. Responding to a plea from Ascalon, the Jews of Fustat wrote letters calling for assistance.[20] Most of the money had been raised (eighty dinars) in Ascalon; only a little more was needed (from the Jews in the Egyptian countryside?).

Capture by Crusaders continued to plague Jewish life as the Latin Kingdom of Jerusalem tried to expand its borders or defend its flanks. In 1168, Amalric, the Christian king of Jerusalem, attempted to subdue Egypt. In November he sacked and burned Bilbays, an important town on the caravan route between Cairo and Palestine and home of a small but significant Jewish settlement. Benjamin of Tudela visited Bilbays around the same time. He also spent time in Fustat, which he described as being "in ruins."[21] Along with Muslims, many Jews were killed or taken captive.

Moses Maimonides had only recently arrived in Egypt when he found himself deeply involved in coordinating countrywide efforts to redeem captives—the captives of Bilbays, Goitein convincingly surmises. Moreover, he thinks that it was precisely the campaign he led to rescue them that catapulted Maimonides to public attention at that time and resulted in his appointment as head of the Jews so soon after his arrival in the country.[22] The documentation begins with a fragment of a circular letter that

[19] TS AS 146.3, ed. Goitein, *Ha-yishuv*, 254–56; cf. Cohen, *Jewish Self-Government*, 261.

[20] We possess a pair of draft letters about this, which were copied by the Fustat court scribe, Ḥalfon b. Menasse ibn al-Qaṭāʾif, early in his career (his dated documents are 1100–38). TS AS 147.5 a and b, summarized briefly by Goitein, *Ha-yishuv*, 256–57.

[21] Benjamin of Tudela, *Itinerary*, ed. and trans. Marcus Nathan Adler (London, 1907), 65–66 (Hebrew), 73–74 (English).

[22] Goitein, "Moses Maimonides, Man of Action: A Revision of the Master's Biography in

Maimonides addressed to the Jewish communities of the lower Egyptian countryside (the Rīf). It is one of three or possibly four, if not five, circular letters from Maimonides about ransoming captives from his early years in Egypt. In this one, he mentions a mission to Palestine by two veteran judges, whom Goitein ingeniously surmises had been sent by Maimonides to negotiate with the Franks for release of the Egyptian Jews held prisoner there. The communities of the Rīf are told that they must now do their part by pledging money and sending the proceeds to the capital to be combined with what had been raised in Fustat. Maimonides requests that the contributions be remitted to his emissary to the Rīf communities, named Aaron. Aaron had accepted the task of going around to the various communities and reading Maimonides' letter, in spite of his own indigency, "because he sees the reward to be gained thereby."[23]

Performing the same task, the same Aaron (called Aaron ha-Levi, the scribe) crops up in another circular letter from Maimonides on behalf of Jewish captives in Crusader hands. The decipherment of the date on the letter has been the subject of debate (Goitein thinks 1169 and I agree with him), but in any event, the connection with captives is secure. Colorfully, Maimonides again emphasizes the efforts already made by the Jews of Fustat, including himself and his colleagues.

> Act upon it in the same way as we, all the *judges* and the *elders and the student(s)*, have acted, going around, night and day, urging people in the synagogues, the markets, and at the doors of dwellings, in order to collect something towards this great goal. Having contributed as much as we ourselves are able, you, too, should do for them (the captives) as fits your generosity and your [renown] as seekers of *merit* [through] kindness and love. Write to tell us the total amount you collect on their behalf, through God the ex(alted's) compassion and your own. Exert yourselves to collect it quickly and send it to us with *our abovementioned dignitary* R. Aaron ha-Levi.[24]

Light of the Geniza Documents," *Hommage à Georges Vajda* (Louvain, 1980); *Med. Soc.*, 5:54–55.

[23] TS 16.9, ed. Goitein, *Ha-yishuv*, 314–16; idem, "Moses Maimonides, Man of Action," 158–59.

[24] JTS MS 8254.7 (formerly: 2896), ed. Goitein, *Ha-yishuv*, 312–14 and translated by him into English in "Moses Maimonides, Man of Action," 156–57. Also ed. Y. Shailat, *Iggerot ha-Rambam* (Epistles of Maimonides), 1:64–65. The translation above is my own. The letter was originally published by S. H. Margulies, "Zwei autographische Urkunden von Moses und Abraham Maimuni," *Monatsschrift für Geschichte und Wissenschaft des Judentums* 44 (1900), 8–13. Goitein could not locate the letter in Cambridge, where he assumed it was still located since the time of Marguiles. Using the facsimile in Marguiles's article and in Norman Bentwich, *Solomon Schechter: A Biography* (Philadelphia, 1940), opp. p. 143, he read the date as Tammuz (1)480 (of the Era of Documents), that is, the summer of 1169, and connected the appeal with the crusader sack of Bilbays the previous

A third circular letter (or perhaps one of the two just described) is mentioned in a legal document from the provincial town al-Maḥalla in the summer of 1170. Aaron ha-Levi and another emissary had organized a pesiqa (pledge drive) there, and the list of contributors had been forwarded to Maimonides in the capital. One of the donors was constrained to sell his slave girl to pay part of his pledge. The al-Maḥalla court document is essentially about this. It records that the donor was conveying the proceeds to Maimonides through an agent acting as his power of attorney. On the back, Maimonides acknowledges receipt of the money and releases the bearer of all further responsibility.[25]

Of the two remaining circular letters, both of them copied by Mevorakh b. Nathan b. Samuel he-Ḥaver, there remain only fragments. One is a scrap from the beginning of a letter to the communities of the Rīf bearing the name of the sender Moses b. Maimon in the address on the back.[26] The second was sent by Maimonides to five provincial communities, Damīra, Jaujar, Sammanūd, Damsīs, and Sambāṭ (= Sunbāṭ), soliciting their charitable assistance (Goitein says: for the ransom of captives).[27] Four of these communities had some years earlier contributed a total of sixty-three dinars to a circular appeal for ransom of captives that yielded a total of 225 3/8 dinars during the headship of Samuel b. Ḥananya (1140–59).[28]

November. Margulies thought the date was (1)484 = 1173 and Bentwich wrote 1172. Shailat prefers to read (1)481, hence the summer of 1170, and connects the episode with a collection of money on behalf of captives that, according to another document, was sent to Maimonides from the city of al-Maḥalla in the Egyptian Delta (see below). His hypothesis about the date of the letter does not negate the significance of Goitein's interpretation of Maimonides' rise to prominence. I examined the letter at the Jewish Theological Seminary under bright light and also ultraviolet light and did not see any letter after the *tp*, which stands for 480; hence I agree with Goitein's reading of the date. For a different opinion see Menahem Ben-Sasson, "Maimonides in Egypt: The First Stage," in *Maimonidean Studies*, ed. Arthur Hyman, vol. 2 (1991), 4–5, following Mordechai A. Friedman, "New Sources from the *Geniza* for the Crusader Period and for Maimonides and His Descendants" (Hebrew), *Cathedra* 40 (1986), 72–75, who, after studying a photograph of the document sent him by the Seminary librarian, reopened the case for the date proposed by Margulies-Bentwich and suggested further that Maimonides may already have been head of the Jews when he lead the campaign to ransom the captives.

[25] TS NS Box 309.12, ed. Goitein, *Ha-yishuv*, 316–18; cf. idem, "Moses Maimonides, Man of Action," 160.

[26] TS 12.238, ed. Mann, *Jews*, 2:317. Originally Goitein thought this was the beginning of TS 16.9, but later retracted his opinion, since the margins of the two fragments are so dissimilar. See *Ha-yishuv*, 314. On the scribe Mevorakh b. Nathan, see *Med. Soc.*, 2:514, App. D no. 22.

[27] BM Or 5533, mentioned in Goitein, *Ha-yishuv*, 314.

[28] *TS 8 J 17.18, ed. Mann, *Jews*, 2:289–90; trans. Starr, *Jews in Byzantine Empire*, 220–21; cf. *Med. Soc.*, 2:481, App. C 29.

The circulars of 1169 describe a crisis regarding captives and how Egyptian Jewry dealt with it under the leadership of Maimonides. As in Alexandria, this had to be a countrywide effort ("following what was always the custom") because the costs were so high, much higher than the costs for routine charitable purposes. That it incidentally afforded Maimonides the opportunity to gain countrywide notoriety and perhaps set the stage for his rise to the political leadership of Egyptian Jewry is a fascinating sidelight. His central participation in the process so soon after his arrival in the country seems also to be reflected in his presentation of the central importance of ransoming captives in the laws of charity in the Mishneh Torah, on which he worked during the years following his arrival in the country. We shall come to this shortly.

More about the problem of captives in Egypt and particularly a captive's urgent need and the help that was given is to be learned from a letter from Ascalon dated by Goitein after 1153 (incidentally confirming the continued presence of Jews in that city after its conquest by the Crusaders). Writing to his brother in Bilbays the author explains how he did a friend a kindness by redeeming his sister, who was held captive by Christians in Nablus. He put up some cash and stood surety for the balance of sixty dinars—making this an exorbitant total price for one captive. A young woman in captivity presented a particularly extreme case of need, for obvious reasons, and this probably inflated the price. With permission of the writer, the friend then went off to Egypt to try to collect money for the ransom. The Frank to whom the writer owed the balance (doubtless the girl's captor) called in the debt. Desperate, the writer tried to pledge his own son as collateral to borrow the sum due, but no one would accept the offer. He now asks his brother in Bilbays to locate the brother of the captive girl and tell him to send the money, or to send the girl herself (with whom, presumably, the writer would then circulate himself, appealing for money).[29] A case from Christian Spain in the fourteenth or fifteenth century shows a similar venture in private Jewish charity that had the same result.[30]

[29] TS NS J 270, ed. Goitein, *Tarbiz* 31 (1962), 287–90; republished, Goitein, *Ha-yishuv*, 306–309; rev. ed. Gil, *Ereṣ yisrael*, 3:460–61.

[30] A letter included in an epistolary formulary tells the story of a Jew named Samuel who ransomed Isaac, a Portuguese Jew. The latter was threatened with death by his pirate captors. Samuel paid 155 gold coins. After Isaac's release, he went off with Samuel to solicit money from different communities, but soon, while collecting donations in Saragossa, Isaac fled to return home. Samuel was left to bear the burden alone. The purpose of the letter is to vouch for Samuel's sad plight and to ask would-be benefactors to give him ṣedaqa. Haim Beinart, "A Fifteenth-Century Hebrew Formulary from Spain" (Hebrew), *Sefunot* 5 (1961), no. 21, pp. 104–106; summary 81. The letter has a month but no year; the latest dated letter in the collection is 1451 and the earliest, 1303. Cf. Bashan, *Shivya u-fedut*, 33.

Other Needs of Captives

Even before their ransom was concluded captives required eleemosynary support, as captors sometimes demanded they be fed by the Jews while gathering the ransom money. We hear about this from the voices of redeemers and captives alike. A pirate demanding the full ransom of 233 1/3 dinars for seven Jews in his custody (four Rabbanites and three Karaites) was met by the plaint of a local Jewish notable in Alexandria: "You haven't left these poor people (he meant, the Alexandrians) enough sustenance to afford to feed them, let alone to afford their price."[31] A different Alexandrian Jewish notable writes to Nahray b. Nissim in Fustat around the middle of the eleventh century at a time of hardship and of oppression by the city authorities:

> Three captives arrived in the company of harsh masters from among the king's merchants. They announced, "We found these three people taken off a ship wherein Byzantine soldiers had plundered them and stripped them of all their merchandise.". . . (The letter goes on a few lines later:) We took upon ourselves the yoke of providing their food for about a month. We labored hard seeking the cost of one of them, but found only ten dinars in pledges. We request that of the fifty dinars needed, forty remain the obligation of the communities of Fustat, (may your) R(ock) p(rotect you), their total cost being fifty dinars.[32]

The Deprivation of the Recently Liberated

From the moment they permanently left the hands of their unwanted masters, former captives certainly had to be fed, clothed, and housed. Separated often by many hundreds of miles from their families and stripped of their possessions, they had no visible means of support. This was the condition of a woman "who was taken captive in the land of Israel" and now, after her ransom, had nothing.

> I inform the holy congregation—may God enhance its splendor—that I am a woman *who was taken captive in the land of Israel*. I arrived here this week from Sunbāṭ "naked," with no blanket and no sleeping carpet. With me is a little boy and *I have no means of sustenance*. I beseech now God the exalted and beseech the congregation—*may you be blessed*—to do with me what is

[31] Bodl. MS Heb. a 3.28, lines 34–37, ed. Cowley, *Jewish Quarterly Review*, o.s. 19 (1907), 250–54.
[32] TS 12.338, lines 17-margin, verso, lines 1–5, ed. Mann, *Jews*, 2:240–42.

> proper to be done *with any wayfarer. May the Holy One, may He be praised, repay you many times and be your help so that you shall never be driven from your homes. And may He bring the Redeemer in your days, Amen.*[33]

An ex-captive from Constantinople[34] also exemplifies the ongoing need of those recently freed from captivity. All he had left after his ransom in Fustat was a loan taken from Muslims, and his family was in great distress.[35]

The child of the "woman who was taken captive in the Land of Israel" at least had a living parent to protect him. Less fortunate children, without parents, might be taken in by relatives or other families—another form of charity. Witness the pitiful account of a young captive orphan girl, adopted into a family in which she remained a foster child until she reached maturity. When they married her off to one of their own sons, she left him after just a few weeks, saying, picturesquely, that she would not stay with him "even if he pours money (*al-māl*) over my head." The other siblings drove her out of the house after failing to change her mind. The story is told in a rabbinic question about the propriety of marrying her off in the first place; it is torn off at the bottom, so we lack the response.[36]

The government levied a duty on the sale of captives, and this, too, had to be paid by someone.[37] So did the poll tax, as the newly emancipated Jews joined the ranks of the local dhimmīs.[38] Sometimes captives were expected to repay their ransomers. These and other burdens assured that

[33] *ENA 4020.62 (formerly ENA Uncatalogued 98), ed. Goitein, *Eretz-Israel* 4 (1956), 149–50; *Med. Soc.*, 2:501, App. C 94; reprinted Goitein, *Ha-yishuv*, 288–89; trans. *Med. Soc.*, 2:170 (slightly revised here).

[34] This was one of the many ways Byzantine Jews (*rūm*) ended up in Egypt.

[35] Dropsie 378, lines 30–31, ed. Bareket, *Yehudei miṣrayim*, 24.

[36] ENA 2808.15a, ed. Goitein, *Jewish Quarterly Review*, n.s. 66 (1975–76), 85–88 (= *Ha-yishuv*, 310–11); cf. *Med. Soc.*, 3:248.

[37] *Ha-mekhes asher ʿaleha la-shilṭon*: ENA 2804.9, lines 17–19, ed. Mann, *Jews*, 2:88–89; rev. ed. Bareket, *Yehudei miṣrayim*, 122–23.

[38] In the midst of a long letter (from the time of Saladin) by a judge in Alexandria accused of rebelliousness against the "elders," the writer interjects: "In the midst of things some captives showed up owing 8 dinars. As there was no one to collect them (the money), I tended to this, along with the cantors and the parnas, and we collected it." TS 16.272v, lines 7–8. Goitein observes that this rate of 1 5/8 dinars per head is consistent with the lowest rate reported for Egypt by Ibn Mammātī (d. 1209); cf. *Med. Soc.*, 2:387. PER H 17 B, ed. Assaf, *Meqorot u-meḥqarim*, 59–60; rev. ed. Gil, *Ereṣ yisrael*, 2:748–74, contains a letter in Hebrew from a European Jew whose ship sank while carrying him to fulfill a vow to visit Jerusalem. He had been brought to Alexandria, where the gentiles (Muslims) tried to "punish" him (i.e., collect the poll tax). Rescued by a Jew, he was taken in (in Fustat?), but he was harassed by the tax collector and was hiding out, lest he be thrown into prison. His host could no longer support him because of high bread prices. Hence he turned to the community for help. See below, chapter 4.

many captives remained poverty stricken and in debt long after their release.

Naturally, captives wished to return home. Expenses for their travel also qualified as charity. One of the letters from Alexandria mentioned above sings the praises of the local benefactor, Nethanel ha-Kohen, who ransomed two captives with his own money "and clothed them and gave them both provisions for the road and sent them on their way after paying the ship's fees. They went home to their land, happy and pleased by the kindness he did towards them."[39]

It is surprising that no alms list discovered so far records the name of a captive, whereas captives or their children crop up on about a dozen registers as contributors to charity.[40] Notwithstanding the general caveat about drawing statistical conclusions on the basis of the largely serendipitous data in the Geniza, this calls for some speculation. Some captives had probably been people of means in their homelands or at least had been regularly employed at the time of their capture and so, out of shame, may have eschewed the public dole. They or their offspring, on the other hand, once established with their feet on the ground, and more aware than most of the value of helping the needy, would have been "good citizens" of the community that had helped them (or a parent) out of their dire straits and willing donors of charity for others. And, of course, many captives were sent home and so would not have appeared on any Fustat lists.

Captives and the Halakha

Ransom of captives is discussed in the Babylonian Talmud, in tractate Bava Batra. An anecdote relates that Hormiz, the mother of Shapur, King of Persia, sent a gift of gold coins to R. Joseph, asking that it be dedicated to a "great religious duty" (*miṣva rabba*). The rabbis decided that ransoming of captives qualified. The Talmud explains why, both textually (with biblical quotations) and logically. It may be implicit from the discussion that the Talmud considers ransoming captives the most important form of charity of all, but it took Maimonides in his Code to make this explicit.

[39] TS 13 J 14.20, lines 6–7, ed. Mann, *Jews*, 2:87. See also Bodl. MS Heb. a 3.28, lines 29, 48, ed. Cowley, *Jewish Quarterly Review*, o.s. 19 (1907), 250–54.

[40] Examples: "The captive" appears on a list of collectors of weekly alms (TS Box K 15.43v, line 4, *Med. Soc.* 2:494–95, App. C 62); Bū Saʿd the captive is listed among individuals and firms to be solicited for contributions (TS Box K 6.177b, line 23, *Med. Soc.,* 2:482–83, App. C 31); Abū Manṣūr the son of the captive is registered among contributors toward the poll tax of the poor; *ENA 2591.6, line 17, *Med. Soc.*, 2:505, App. C 128.

> The ransoming of captives has precedence over the feeding and clothing of the poor. Indeed there is *no religious duty more meritorious than the ransoming of captives*, for not only is the captive included among the hungry, the thirsty, and the naked, but his very life is in jeopardy. He who turns his eyes away from ransoming him transgresses the commandments "Thou shalt not harden thy heart, nor shut thy hand" (Deuteronomy 15:7), "Neither shalt thou stand idly by the blood of thy neighbor" (Leviticus 19:16), and "He shall not rule with rigor over him in thy sight" (Leviticus 25:53). Moreover, he nullifies the commandments "Thou shalt surely open thy hand unto him" (Deuteronomy 15:8), "That thy brother may live with thee" (Leviticus 25:36), "Thou shalt love thy neighbor as thyself" (Leviticus 19:18), "Deliver them that are drawn unto death" (Proverbs 24:11), and many other admonitions like these. To sum up, there is no religious duty greater than the ransoming of captives.[41]

There is something original about this passage. Rarely in the Code does Maimonides marshal so many prooftexts from the Bible for a single law. Here, in "Gifts for the Poor" 8:10, he adduces seven biblical commandments, none of which constitutes a specific precept to redeem captives, and he alludes that there are many more. For Maimonides, this ethical act is more important than all other forms of almsgiving. It should not be supposed that Maimonides had the rabbinic precedent for this in mind. The story about the mother of Shapur, King of Persia, and the rabbis' response, which might have served the purpose, is used by him in the immediately preceding section as a precedent for a different halakha: gifts from heathen rulers should be accepted, but redistributed to the heathen poor.

Following halakha number 10 come eight more laws till the end of the chapter, seven of which include ransom of captives. But chapter 8 has a topic sentence reading: "Almsgiving is included in the category of vows." Maimonides embedded the dispersed rabbinic halakhot on ransoming captives in this chapter because in Egypt, as we have seen and will see more of later, the principal vehicle for raising money for that cause was pledges, "vows" in the language of the Talmud.

I believe we are on safe ground, therefore, concluding that Maimonides' emphasis on ransom of captives, his enhancement and reinforcement of the talmudic statement that ransom constitutes a "great religious duty," his multiplication of prooftexts from the Bible (none of which actually commands the fulfillment of this particular duty), and his placement of the laws in a chapter about vows had much to do with his personal experience with the captive problem in Egypt. Like the law of "the poor of

[41] Mishneh Torah, Hilkhot mattenot ʿaniyyim 8:10.

another town," this nicely illustrates the interaction of halakha and reality in medieval Egypt and the influence everyday life had on the formation of Maimonides' Code.

Indigent Refugees

Like captives, refugees escaping from harm's way or other difficulties arrived in Egypt, both in the capital and provincial towns. Others wrote for help from abroad. Like captives, these unfortunates were separated from their families, and poor, often even if they found work.

The Almohad depredations and forced conversions in North Africa and Spain in the middle of the twelfth century produced their share of Jewish refugees. The newcomer (ṭāriʾ) from Morocco, whom Maimonides recommended for a collection to pay his poll tax, was doubtless a refugee from the Almohad persecutions in North Africa. Maimonides himself had come to Egypt with his family as a refugee fleeing from the Almohads, first from Spain and then from Morocco.[42]

Another refugee from the Almohad threat, "the poor foreigner," Ephraim b. Isaac of Ceuta, Morocco, a silversmith, left two letters that ended up in the Geniza. In the first he addresses Moses b. Nathan, a banker and also an immigrant to Egypt.

> Your submissive slave, the lonely, poor foreigner, informs your excellency that I am a Maghrebi, a native of the city of Ceuta, which I left before the forced conversion thirty-five years ago today. I lived in [the capital of] Sicily for about fifteen years. There, too, I witnessed a pillage. I was robbed and all I possessed was lost. I came to this country, and needed nobody's support, for I earned my livelihood as a silversmith. I have been here now for seventeen years. Three years ago I fell ill with ophthalmia (trachoma), and lost half of my eyesight. As an expedient, I took on four boys as a Bible teacher, which brings me four dirhems a week. The Holy one, may He be blessed, knows that one cannot make more with this. Ten of my masters and lords united to help me, the poor stranger, paying the poll tax for me. Now, my master and lord, I ask you to be so kind and write to my masters and lords, your brothers . . . to be mindful of their slave, and [I request from your pie]ty and generosity a little wheat for my sustenance.[43]

[42] *TS 12.192, ed. Gottheil, *Gaster Anniversary Volume*, 174, 177; Assaf, *Meqorot u-meḥqarim*, 163ff.; trans. Joel L. Kraemer, *Maimonidean Studies*, 1:87–92. Cf. *Med. Soc.*, 2:46, 382 (partly translated), 498–99, App. C 82b.

[43] TS 12.3, partly trans. Goitein, *Med. Soc.*, 5:77. I translate *qamḥ* as "wheat" not "flour" (Goitein's translation). See chapter 6, at note 21.

In his second letter Ephraim, "the *poor, poor* foreigner," expresses displeasure with the banker, Moses b. Nathan, who had evidently failed to respond to his plea. Ephraim had meanwhile found succor elsewhere, among his countrymen and friends (*aṣḥābī wa-aṣdiqāʾī*), who were paying his poll tax for him. Moses, he complains, had not done his share. "Who . . . among *the poor of Egypt* is more deserving than I, who am incapacitated?"[44]

Do we detect in Ephraim's letter an intimation that refugees were sometimes treated as less deserving than captives? Another hint of this crops up in the letter of a female refugee from Jerusalem at the time of the Seljuk invasion (early 1070s), now living in exile in Tripoli, Lebanon. She tells a moving story about her plight. One of her sons had died, her husband had disappeared, and she was on the verge of dying from hunger. She had had to pawn some family books. Deprived of immediate family support, she writes to her brother-in-law in Fustat, hoping that through him the nagid (Judah b. Saadya, in office ca. 1065–78) will help with five dinars "in the way of charity and thus ransom all the books." Earlier she had turned to "our relative Joseph, (who) was not remiss in providing us with cash, wheat, and other things." She laments, however: "The Rūm and (other Jewish) captives have it better than me, for when they are captured, they find someone who gives them food and drink, but I, by our religion, am completely without clothing, and I and my children are starving."[45]

The Rūm just mentioned were refugees, too, but they belonged to an especially deserving group. Military disruptions and violence in Asia Minor in the late eleventh century had brought an influx of Rūm refugees into the Egyptian capital, where they show up prominently on alms lists from around 1107 in pages separated from a scribe's record book (discussed in chapter 2).[46] Another example are the Rūm receiving a special distribution of cash and wheat from the nagid one Friday in a list that Goitein dates after the Latin conquest of Constantinople in 1204 and the other disasters that beset Byzantium and sent Jewish refugees to Egypt in search of safety and succor.[47]

[44] *TS 8 J 20.24, lines 3–7.

[45] Westminster College, Misc. 35, ed. Goitein, *Jewish Quarterly Review*, n.s. 66 (1975–76), 79–83 (revised *Ha-yishuv*, 278–82, and translated into English in *Med. Soc.*, 5:84–85); Gil, *Ereṣ yisrael*, 3:527–39. Translations follow Goitein.

[46] See chapter 2, at note 57, and also chapter 8.

[47] BM Or 5566 C.2, bottom, *Med. Soc.*, 2:462, App. B 79 (1200–40).

Refugee Proselytes

A related class of refugees in need of charity were the proselytes. I call them refugees for a specific reason. First of all, most of these were almost certainly former Christians, not Muslims. I assume this because conversion to another religion is a capital offense in Islamic law.[48] I assume, further, that most of the proselytes hailed from Christian lands rather than from the Oriental communities under Muslim domination.[49] Fleeing harassment from their Christian families and neighbors in Europe or Byzantium, they sought and found shelter as protected non-Muslim dhimmīs in Dār al-Islām.[50] The most famous refugee proselyte in our period was the learned Norman cleric Johannes-Obadaiah, who left Oppido in southern Italy for the domain of Islam after his conversion and ended up in the East in the early part of the twelfth century. In Egypt he left traces, autobiographical and musical, in the Geniza.[51]

Other, less celebrated refugee proselytes also appear in our letters. Not all of them were poor, and we may assume that many, especially the former Christian nobles among them, succeeded in taking some of their wealth with them when they fled.[52] But many lost everything as a result of their apostasy, and at least until they mastered the Arabic language and found work in their new home, they required charity, which the Jews provided seemingly with impartiality.

Proselytes pepper the poor lists as well. A "foreign female proselyte" (*gharība giyyoret*) receives a small *jūkāniyya* (a kind of robe). In a mixed account of expenditures a proselyte receives fifteen (dirhems) alongside various salaried community officials and also other needy people. It cannot be decided whether this recipient of fifteen dirhems was drawing

[48] Rudolph Peters and Gert J. J. De Vries, "Apostasy in Islam," *Die Welt des Islams* 17 (1976–77), 1–25.

[49] Cf. *Med. Soc.*, 2:304–306 and Eliyahu Ashtor, "Some Features of the Jewish Communities in Medieval Egypt" (Hebrew), *Zion* 30 (1965), 70. A Christian proselyte converting (receiving circumcision and ritual immersion) locally, evidentially in Egypt, is mentioned in ENA NS 21.10. It is not clear whether he was in need of charity.

[50] See on proselytes to Judaism *Med. Soc.*, 2:303–11, and Norman Golb, "A Study of a Proselyte to Judaism Who Fled to Egypt at the Beginning of the Eleventh Century" (Hebrew), *Sefunot* 8 (1964), 85–104.

[51] Of the considerable literature on this convert, see A. Scheiber, "Die Lebenslauf des Johannes-Obadja aus Oppido," in Scheiber, *Geniza Studies* (New York, 1981), 453–70, with extensive bibliography, including his many other articles on this personality, some of which are also reprinted in that volume; and Norman Golb, "The Scroll of Obadaiah the Proselyte" (Hebrew), in *Meḥqerei ʿedot u-geniza* (Studies in Geniza and Sephardi Heritage) (Jerusalem, 1981), 77–107.

[52] *Med. Soc.*, 2:306–307.

salary for some public service or partaking of charity. More than once we meet "the proselyte gravedigger, Joseph from Tripoli," poor, employed in a poorly paying job, and on the dole. In one instance he receives wheat, on a list that includes another proselyte and the son of a proselyte. A woman called merely "the wife of Joseph the grave digger," who was allocated a jūkāniyya on a "List of Clothing for the Poor, 1451, Year of the Documents" (1139–40), might be his wife or widow.[53]

A female proselyte appears on several of the aforementioned bread distribution lists from around 1107, in one of them in the subsection headed "The Rūm." She certainly had joined the Jewish community as a convert from Christianity in her country of origin. Doubtless she was physically more secure, though possibly financially more needy, in Egypt than when she lived as a convert from Christianity in her homeland.[54] As noted, the Jews on these sub-lists probably hailed from Asia Minor.[55]

A "proselyte from Cairo," the government capital, who appears fifteen lines after that lady in one of the lists just mentioned, is so identified not because he had converted in that city, but because after his conversion he had

[53] Foreign female proselyte: TS Arabic Box 52.247v, right side, line 17, *Med. Soc.*, 2:459, App. B 72 (1150–90) (*jūkāniyya*, cf. *Med. Soc.*, 2:131 and passim). Proselyte on mixed list: TS Box K 15.70, line 3, ed. Mann, *Jews*, 2:247 (reads *al-jadd*, which he takes to mean, probably, "the grandfather"); *Med. Soc.*, 2:441, App. B 13 (1060–1100). Proselyte gravedigger: TS Box K 15.85r, line 5, *Med. Soc.*, 2:448, App. B 34 (1100–40); receiving three waybas of wheat: TS Misc. Box 28.184, *Med. Soc.*, 2:457–58, App. B 66 (1100–50), also mentioned by Ashtor, *Zion* 30 (1965), 71. His wife or widow: TS NS J 293(a)v, right side, line 4, *Med. Soc.*, 2:448, App. B 33.

[54] *TS Box J 1.4v, left-hand page, line 3 (*al-gera*—two loaves), *Med. Soc.*, 2:443, App. B 23; TS NS J 41r, left-hand page, line 4 (*al-giyyoret*—four loaves), *Med. Soc.*, 2:442, App. B 17; *TS Misc. Box 8.9r, left-hand page, line 9 (*giyyoret*—four loaves), verso, right-hand page, line 6 (*al-giyyoret*—two loaves), *Med. Soc.*, 2:442, App. B 18 ; *TS Box K 15.50r, left-hand page, line 16 (*al-gera*—number of loaves missing), *Med. Soc.*, 2:443, App. B 22. Except for the first list, the Rūm are dispersed throughout. It should also be remembered that these lists are pages that became separated from their original notebooks, as the fold lines down the center show. Thus, where a person, such as this female convert to Judaism, appears more than once on the same folio, it is not a mistake or a duplication, but each notation comes from a different page (representing different distributions), and the pages were probably not even consecutive in their original bound form. The Hebrew *gera* is not the standard form for female proselyte, which is *giyyoret* and appears only in postbiblical Hebrew. *Gera* in the Bible is the cud of an animal (which chews it) or a coin (the twentieth part of a shekel). In a rare instance in a midrash, Ruth the proselyte is called *gera* (Bereshit Rabba, Vilna ed. 88:7; the passage is not attested in any but one late manuscript of Bereshit Rabba or in any of the later midrashic anthologies that draw material from Bereshit Rabba, see the critical edition *Bereschit Rabba* by J. Theodor and Ch. Albeck, 2nd printing [Jerusalem 1965], 3:1086 in the notes). Possibly there were two different lady converts to Judaism drawing from the poor dole in Fustat at the same time, and the scribes employed the unusual Hebrew form to distinguish one from the other.

[55] See chapter 2 at note 57.

lived there.[56] The social-welfare distribution system in Fustat was more active than that of Cairo, if only because the Jewish population of the capital in the twelfth century was still largely concentrated in the Old City.

When we find children of proselytes on the dole it is evident that they inherited their parent's poverty.[57] But we also find one "Joseph son of the lute player, the proselyte" as a contributor on a late list (fourteenth century, evidently).[58] The proselyte from Rūm in another of the lists from around 1107, who owned a slave girl listed immediately after her master and collecting her own ration, certainly knew better times before he resorted to the public dole. He received three waybas of wheat and his slave girl (Mubāraka), only one-half.[59]

Letters often tell intriguing stories about refugee proselytes. A European convert to Judaism, a former cleric of the Church, writes in Hebrew to a distinguished local Jewish woman who looked after him. Churchmen in Europe could learn Hebrew during intellectual encounters with Jews,[60] or independently, if the Hebrew Bible was accessible in a church or monastic library. It was also possible to acquire knowledge of the language from Jewish acquaintances in the Near East. But gaining literacy in Arabic (as opposed to speaking skills) in their new land was another matter. The cleric expresses his gratitude for the fine bread his patroness had sent and gives her instructions on how to bake certain cakes ("put ginger on them," he recommends). He had enjoyed a more sumptuous diet as a member of his former religion. Goitein uses this text to support his theory that proselytes received more wheat in the Fustat distributions than others because in Europe (and in their presumably noble status) they had had different eating habits.[61]

Two other letters from the same Christian convert relate more of his saga. In one, he recounts the story of his impoverishment following his conversion, his attempt to induce the archbishop and other priests to become Jews like him, his imprisonment and subsequent clandestine release by a guard who had a telling night apparition, and his flight in search of

[56] *TS NS J 41r, right-hand page, line 19. He received six loaves. The dot over the letter *gimel* in the word *ger* probably results from the frequent entry of three (*gimel* with a superdot) as the number of loaves allocated.

[57] Abū Saʿīd son of the proselyte: TS NS J 179r, line 9, ed. Ashtor, *Shazar Jubilee Volume*, 505–509; *Med. Soc.*, 2:441, App. B 11 (1040–60) (just names, no numbers). Zayn son of the proselyte—two waybas of wheat: TS Misc. Box 28.184v, line, 15, *Med. Soc.*, 2:457–58, App. B 66 (1100–50). The daughter of the proselyte and her son and daughter—six loaves of bread: TS 24.76v, line 5, *Med. Soc.*, 2:438–39, App. B 1 (1020–40).

[58] TS 12.573v, lines 7–8, *Med. Soc.*, 2:497, App. C 73.

[59] *TS Box K 15.113, line 3, *Med. Soc.*, 2:444, App. B 26.

[60] Aryeh Grabois, "The *Hebraica Veritas* and Jewish-Christian Intellectual Relations in the Twelfth Century," *Speculum* 50 (1975), 613–34.

[61] TS 12.244. Cf *Med. Soc.*, 2:129, 306; 4:230.

food. In the other missive he complains about being neglected by the two Rabbanite congregations in Fustat.[62] Again we are tempted to speculate that refugees ranked somewhat lower on the scale of deservedness than captives in need of ransom.

One of the most fascinating sagas of a proselyte in the Geniza has acquired some notoriety in scholarship. The principal character is a widowed convert and refugee from Europe, whose case was made famous by a scholar who believed (wrongly, it now appears) that the letter (first published by Jacob Mann) documents an otherwise unknown episode of persecution of the Jews in southern France during the First Crusade.[63] The woman was married to a Jewish notable, R. David, the nasi of Narbonne in southern France. Pursued by her wealthy Christian family, she and her husband and children had fled from Narbonne to another place, where the letter telling her story was written. After her husband's murder and the capture of her son and daughter, she remained impoverished and distraught. The letter of appeal attests to her plight and asks that she be helped. The name and hence the location of the city in which the letter of recommendation was penned is the matter in dispute, for the word is partially torn away. It has recently been convincingly shown by a pair of Israeli scholars that the letter was written not in Monieux in southern France, but in Muño, in northern Spain, by the same scribe who wrote yet another letter.[64]

This second letter, a fragment preserved in two pieces and also bearing signatures, similarly concerns a widow, and the saga is remarkably similar. She had suffered intimidation from Christians, we may assume because she had converted to Judaism. Her husband had been killed and she was left with daughters and pregnant. Threatened with burning at the stake, she had been ransomed. The city of Najera in Castile is mentioned. Ashtor, who published the first fragment of this letter in 1964 and did not take into consideration the letter published by Mann, thought the woman came from that city.[65] The second sliver of the letter, only recently come to light, gives fragmentary but important additional details about the woman's predicament, including the fact that officials had had to be bribed. The continuation of the line in Ashtor's fragment discloses that

[62] Conversion: TS 12.732, ed. Assaf, *Meqorot u-meḥqarim*, 149. Cf. *Med. Soc.*, 2:306, 309. Complaint: TS NS Box 325.7, ed. A. Scheiber, "A Proselyte's Letter to the Congregation of Fostat," in Scheiber, *Geniza Studies*, 268–72.

[63] TS 16.100, ed. Mann, *Texts*, 1:31–33. Norman Golb, "New Light on the Persecution of French Jews at the Time of the First Crusade," *Proceedings of the American Academy for Jewish Research* 34 (1966), 1–63. Golb's "discovery" made the pages of the *New York Times*.

[64] See also chapter 2 at note 28.

[65] TS 12.532, ed. Ashtor, *Sefarad* 24 (1964), 44–47. Cf. *Med. Soc.*, 2:95.

the targets of the bribe were the bishops (*hegemonim*), and gives the amount as thirty-five dinars.[66] Since the first letter was written in northern Spain (Muño), and by the same scribe, it is almost certain that we are dealing with one and the same luckless widow. She was still being pursued by her Christian family, who wanted her punished for converting.[67] We have here an instance of a widowed proselyte refugee from southern France who traveled through Spain as far as Egypt in search of charitable aid, and there left traces of her story in the Cairo Geniza. Perhaps she died or remarried in Egypt and no longer needed the letters of recommendation. Or perhaps, simply, her letters had become so worn and tattered by the time she reached Egypt that they were no longer readable, and so were buried in the Geniza.

Our sources do not permit us to say how common such conversions were. We encounter not a few proselytes in the letters, and converts' children on alms lists, but we cannot judge how representative this data is. Shall we suppose that Egyptian (or Fustat) Jewry's reputation for charitableness extended so far and wide that converts in Christian lands heard about it by remote control? Did the widow from southern France and northern Spain make her way to Egypt because, on the way, she learned how beneficent the Jews there were? We cannot know. What we can say, however, is that, taken together, the captives, refugees, and proselytes of Fustat made up an important subgroup of the poor.

Another very large group who suffered from poverty, frequently called captives, were those stricken by debt, including the annual poll-tax obligation, which constituted a debt to the Egyptian government if not paid on time. For the poor or marginally subsistent, it was a terrible burden.

[66] TS NS Box 323.31, discovered, edited, and published by Edna Engel, see chapter 2, note 28.

[67] The word "Narboni" occurs in the part of the letter published by Ashtor, TS 12.532, line 6.

Chapter Four

DEBT AND THE POLL TAX

Debt and Poverty

DEBT AND POVERTY have gone hand in hand from time immemorial in different cultures. The Bible features the debtor in its precepts concerning charity: debts should be remitted every seventh year and loans should not be withheld from the needy.[1] Debt was a chronic affliction of the Christian poor in the European Middle Ages, "the poisonous remedy for poverty," as Michel Mollat calls it.[2] Like captives, debtors constitute one of the eight categories in Islamic law to whom the poor-due is to be paid (Sura 9:60), and the Muslim is also enjoined to be patient with hard-pressed debtors, even to the extent of remitting what he owes as a charitable act (Sura 2:280).

Documents from the Geniza exhibit the same nexus between debt and poverty. For both the marginally self-sufficient (the "working poor") and those who were normally comfortable, once a conjuncture interfered with their livelihood and they were confronted with their inability to purchase basic daily needs, they might be forced to borrow. Or, already in debt, they would find themselves unable to repay their obligations and so risked the wrath of creditors, who then, as today, could be "mean" until they got repaid. The debtor could even end up in a Muslim debtors' prison. For that reason, as early as the ninth century, the Babylonian Geonim, emulating Islamic practices, had instituted new procedures to authenticate claims of insolvency and to verify the poverty of debtors, allowing them to repay what they owed at a later date.[3]

The "debt" most frequently encountered in letters of the needy was the annual poll tax incumbent upon non-Muslims. It was a harsh burden for the poor or nearly poor. When they could not pay it on time, it became an anxiety-provoking debt, because nonpayment could spell physical mistreatment by the authorities or even imprisonment. For that reason,

[1] For instance in Deuteronomy 15.

[2] Mollat, *The Poor in the Middle Ages*, 6.

[3] "Mean creditors" (*ghuramā' al-sū'*): TS 13 J 20.2, line 8. The man was writing from prison. Geonic procedures: Gideon Libson, *Jewish and Islamic Law: A Comparative Study of Custom during the Geonic Period* (Cambridge, 2003), 113–56.

through charity private individuals as well as the community helped defray the poll tax of the indigent.

The appeals for private charity to offset debt that we have seen in previous chapters just scratch the surface. There are dozens more. For instance, we read about "one of the notables (*aʿyān*)" of the community of Sunbāṭ in the Delta whose house was normally open to all wayfarers and who never sought charity. However, hard times had recently fallen upon everybody and he had been driven into indigence and forced to appeal for charity. In particular, he was in arrears for two poll-tax payments, his own and that of his son, as well as for another debt.[4]

Debtors in flight—seeking to evade government imprisonment, trying to escape from their creditors, or soliciting charity outside their home town to repay them (and thus avoid imprisonment)—appear all over. The ever-present "ralliers" (Muslims or even Jews) relentlessly sought out evaders.[5] We recall, too, the man from Ascalon who fled from his creditors and hid out in Fustat. He had compounded his indebtedness before leaving home by taking new loans from his brother-in-law, obviously to avoid incarceration for the other debt (of ten dinars). When his work in Ascalon came to a standstill, he fled, but his poor wife back home was soon threatened with imprisonment in his place. This story describes a classic case of a wage-earner experiencing economic crisis and the resultant confluence of debt and poverty, which made him flee, with drastic consequences for the family he left behind.[6]

Yaḥyā b. ʿAmmār, whom we also met before, and whose petition is translated in full below (chapter 7), tried to escape crushing debts owed to Muslims in Alexandria.[7] Another Alexandrian refugee from debt, who had not been able to come up with the poll tax unjustly levied on his little boy, reached Fustat, along with his son. Unable to find even low-paying employment (one dirhem per day), he appealed to the head of the Jews, Abraham Maimonides, who, in a note on the back of his petition, issued instructions to give the man bread out of the local stores of alms.[8] The same Abraham Maimonides deals elsewhere with a case concerning a loan of five hundred dirhems from one Jew to another. When the creditor

[4] *TS 6 J 3.28, cf. E. Ashtor, *Journal of Jewish Studies* 18 (1967), 36; Cohen, "Poverty as Reflected in the Cairo Geniza Documents."

[5] A truncated reference to the "*ḥushshār* of Alexandria," who "wanted to imprison him." AIU VII A 43, lines 1–2. On the *ḥushshār*, see *Med. Soc.*, 2:370, 385, and *TS Box K 15.58r, line 26, *Med. Soc.*, 2:495, App. C 67 (fourteenth century): Ibrahīm ibn al-Ḥāshir, a Jewish contributor to charity.

[6] CUL Or 1080 J 114, ed. Gil, *Ereṣ yisrael*, 3:489–91; discussed 1:par. 307 (= Gil, *Palestine*, 197).

[7] *TS 13 J 18.14, cf. *Med. Soc.*, 1:25, ed. and trans. Cohen, "Four Judaeo-Arabic Petitions of the Poor," 449–56.

[8] TS Arabic Box 30.163, *Med. Soc.*, 2:466, App. B 104.

threatened action in the Islamic courts to pressure the man (which meant he might be thrown into prison), the debtor claimed insolvency. The nagid ruled in defense of the destitute borrower. In his petition, the debtor suggested a compromise, lowering the terms of repayment from twenty to ten dirhems per month.[9] This, of course, could only have been proposed by someone who, like most bankrupt people, still had earnings or some small amount of reserve assets on which he could draw and who fully expected to see an end to his temporary difficulties, what we would call his conjunctural poverty.[10] Other examples of debtors in flight abound, for instance, a man whose good fortune changed and "then he became pursued by debts," which caused him to flee to "this city," doubtless Fustat.[11]

In a variation on the theme of flight to escape the consequences of debt, people hid out from their creditors at home.[12] "Here I am," writes a struggling man in Jerusalem, "in misfortune and great distress on account of being cut off from means of making a living and being confined to the house, desirous of remaining in this Holy City, as is pleasing to (God) the ex(alted), and to pray at its holy gates before this great house (the holy Temple), may God rebuild it soon in our days."[13] He must mean that he is hiding from the poll-tax collector or a creditor, lying low indoors so he would not have to abandon his religious goal of living in Jerusalem.[14] If his confinement had been due to illness, he would have said so to strengthen his case. He hoped for charity so he could pay his debt and remain in the city of his dreams. Hiding out was an expediency not just of isolated individuals. "This week the people experienced adversity because of the poll tax and we were all hiding in the houses," writes a scribe who was

[9] The case has been carefully studied by Mordechai A. Friedman, "Responsa of Abraham Maimonides on a Debtor's Travails," in *Genizah Research after Ninety Years: The Case of Judaeo-Arabic. Papers Read at the Third Congress of the Society for Judaeo-Arabic Studies*, ed. Joshua Blau and Stefan C. Reif (Cambridge, 1992), 82–92. The edited and translated documents, all of which seem to belong to the same case, as convincingly argued by Friedman, are: TS 10 K 8.9 recto and verso (two versions of the responsum), *TS 13 J 9.11 verso (draft of a legal question), and *TS 13 J 9.11 recto, the debtor's petition.

[10] A bill of loan (dated June 1210) for 552 dirhems, payable in monthly installments of 10 dirhems for three months and 20 dirhems thereafter, includes an additional note written six months later by Abraham Maimonides stating that the creditor agreed to reduce the principal to 290 dirhems at a repayment rate of 10 per month. Since the original principal would have been reduced to 442 dirhems by then, and since in cases of insolvency the Jewish authorities intervened and sometimes got the loan reduced by one third, this 290 dirhems, only slightly less than two thirds of 442, may reflect such an arrangement, and the parties themselves might actually be the anonymous litigants of the responsa, Friedman ingeniously speculates. Ibid., 83.

[11] CUL Add. 3345, lines 36–47.

[12] *Med. Soc.*, 2:390.

[13] TS 8.64, lines 7–10.

[14] Goitein (his index card) surmised that the man was hiding from the poll-tax collector.

very active in poor relief administration in Fustat at the beginning of the thirteenth century.[15] Evidently the tax collectors (and perhaps creditors in general) did not invade private property.

The strategy of seclusion was considered necessary to avoid the perils of imprisonment. A foreigner writing in Hebrew ("I do not know your language," he says) tells a woeful story. He had experienced travails on his way to Jerusalem when his ship sank after jettisoning failed to keep it afloat. Rescued, he was brought to Alexandria, where the Muslim authorities levied the poll tax on him. He writes—"punished me"; the Hebrew word here, *ʿanash*, was used in that period to mean "to compel someone to pay the poll tax." This echoes the view of the majority of Islamic legal scholars, who considered the poll tax an *ʿuqūba* ("penalty").[16] A Jew of Fustat had taken the newcomer into his house in the capital, where the writer had been hiding out for two months, "afraid to go out the door, lest the poll tax collector find me and [put] me into prison, where I shall die, since I possess nothing with which to save my soul." His host had recently announced that he could no longer feed him because of inflated bread prices, and that is why he wrote this letter of appeal.[17]

Confinement at home to escape creditors, let alone incarceration in a government prison, compounded matters precisely because people could not leave their houses to work. A miserable man in debt writes picturesquely about the economic problems imposed by his confinement: "I am [going through] adversity that none but the Creator of all existence knows. I am hiding out in my house like the women. I cannot go out except [in the] evening. I am fleeing from a debt that I owe. I am unable to do any gainful work unless I go out. My little ones are dying of hunger because I have been hiding out."[18]

"Captives of Debt" and the Halakha

In popular conception, imprisonment for debt resembled captivity, especially since seizure by the Muslim police and incarceration until debts were repaid could be accompanied by a physical thrashing.[19] Such potential physical abuse is a principal reason for the Talmud's insistence

[15] Bodl. MS Heb. d 66.135, lines 14–15, cf. *Med. Soc.*, 2:390. The scribe is Solomon b. Elijah.

[16] On the Hebrew usage, see Gil, *Palestine*, 149. On *ʿuqūba*, see Cohen, *Under Crescent and Cross*, 69.

[17] PER H 17b, ed. Assaf, *Meqorot u-meḥqarim*, 59–60, rev. ed. Gil, *Ereṣ yisrael*, 2:748–49.

[18] *TS 8 J 17.27.

[19] "Persons facing jail for any reason, for example, nonpayment of the poll tax, expected to be unable to survive torture and life in prison in general." *Med. Soc.*, 2:373.

upon the urgency of redeeming captives.[20] A letter of appeal from a "poor man" describes how he was seized for failure to pay the poll tax and beaten severely in the sight of six upright Jewish elders from Cairo (who could therefore testify to the events, and to the writer's urgent need for assistance).[21] In the long letter of appeal to the Jewish government official Ya'ir b. Elʿazar, from which we quoted at length in our discussion of the foreign poor, the needy petitioner alludes to debts, to rent he owed, and to his liability to the poll-tax collector. He colorfully compares himself to captives: "My master the illustrious elder, may God lengthen your days, knows that people redeem captives and they get out of prison and accomplish in this world what they can to do good, and a great deal more."[22]

Linkage between debt and captivity is reflected as well in alms lists and donor registers. "List of the Captives—may God help to rescue them" reads the heading of an alms list.[23] Another carries the heading "Addition *(al-muta'akhkhar)* to [the collection for] the 'captives.'"[24] But the latter (and by analogy the former) cannot be captives of pirates or war. The sums are too small and the names are those of known, that is, local people. Goitein, accordingly, concluded these were "captives" of debt and accordingly translates *shevuyim* as "prisoners" rather than "captives." We may be certain, too, that many on the alms lists in general were there because they had become impoverished by debt. Collections to help indigents defray their annual capitation tax were designed precisely to avoid the untoward consequences of nonpayment.

Letters of appeal describing imprisonment for debt or anticipating it with anxiety exhort would-be benefactors in the same way captives were wont to do. We saw this in the letter of Nathan b. Mevorakh, the Ascalon judge, appealing for assistance for a family whose lady of the house was about to be imprisoned on account of her husband's debt while he was hiding out in Egypt.[25] Using the language of captives, a teacher named Joel requests aid from the well-known pietist Abraham he-ḥasid and his brother (early thirteenth century), expressing his plight in colorful, learned rhymed Hebrew prose: "When I recall the tax (*mas*) my heart melts (*yimmas*) inside me (*be-tokh qirbi u-meʿayim*), when the collectors seize my wrists to bind my feet in iron (*bi-neḥushtayim*). Debt at high in-

[20] Bava Batra 8b. And recall Maimonides' restatement of the Talmud: "The ransoming of captives has precedence over the feeding and clothing of the poor. Indeed there is no religious duty more meritorious than the ransoming of captives, for not only is the captive included in the generality of the hungry, the thirsty, and the naked, but *his very life is in jeopardy*." Mishneh Torah, Hilkhot mattenot ʿaniyyim 8:10.

[21] TS 6 J 9.7.

[22] *TS 24.46, lines 64–65.

[23] BM Or 5549.8, *Med. Soc.*, 2:455, App. B 58 (1040–80).

[24] BM Or 5566B.33v, *Med. Soc.*, 2:486, App. C 38, ed. Gil, *Foundations*, 412–15.

[25] See chapter 2 at note 85.

terest owed to powerful (Muslim) people comes to mind like a pair of walls (*ḥomotayim*)."[26] Similarly, a letter of recommendation relates that the son of the letter-bearer was imprisoned in (New) Cairo. A pledge drive had raised fifteen dirhems, but he still owed more than twenty.[27] "His son is in great distress in the prison," the writer adds.[28]

When we read that someone is "imprisoned" *(maḥbūs)* it often means under house arrest and specifically for nonpayment of a debt, either to a private person or to the government poll-tax collector. "I inform you that I am poor, indigent, and naked, I and my family. . . . I am imprisoned on account of the poll tax (*maḥbūs min al-jizya*) and dying from hunger, I and my family," laments a cantor writing to three brothers and two cousins.[29]

This "house arrest" was known as *tarsīm*, after the payments, *rusūm*, that had to be made to the guardsman to cover his wages. The term also applied to the warrant that preceded imprisonment, requiring payment for each day it was in effect before the debt was discharged.[30] Maḥbūs, of course, could have a more general connotation. The man who wrote "I have been imprisoned in my house fifty-five days" had become paralyzed in one hand and could not earn money for food or to pay the poll tax, which had just come due. Two friends (no more, he says) had come by his house and given him five dirhems each. He gave a bribe of five dirhems to the tax collectors, we may surmise to grant him an extension of time to pay the levy, and spent the other five. We do not know whether he was under house arrest or simply trapped at home by his malady. We may assume that if he was not under detention yet he would be soon.[31]

Many are the letters that describe needy people who owed money.[32] But information about debt and its relief through charity is also contained in the lists. The payroll for community officials and needy persons

[26] TS 20.148, lines 19–22. Cf. *Med. Soc.*, 5:80.
[27] The manuscript has a *kaf* (= 20), followed by an unreadable letter.
[28] ENA NS 2 I.18, lines 9–12.
[29] TS 10 J 12.4, lines 21–23; cf. *Med. Soc.*, 1:352. When a petitioner for charity writes, "were he no[t] confined to the house, unable to go out on account of the poll tax, and had he not been sick for eight months, [he] would have been able to earn a living," it can mean either that he was under house arrest for nonpayment of the jizya or that he did not want to be caught by the tax collector in the street or the marketplace. *ENA 2738.37.
[30] *Med. Soc.*, 2:372.
[31] TS NS Box 321.11.
[32] *TS 8 J 18.25, lines 4–5: "we are in dire straits on account of debts we have, childcare, and sureties on our behalf"; TS 6 J 7.18: "the creditors are ruining me"; TS 13 J 18.17: a man who owed rent and loans to Muslims; *TS 12.122, ed. Golb and Pritsak, *Khazarian Hebrew Documents*, 1–71: a Jew from Kiev seeks money to pay a debt back home for which he had stood surety; TS 18 J 3.1, cf. *Med. Soc.*, 2:386: a man who had lost his riches asks for one dinar to pay the balance of a debt of twenty dinars; TS AS 145.4: a man who has heavy debts; ENA 4020 I, loose leaf, cf. *Med. Soc.*, 2:106: a man seeks money collected for him in a pledge drive over a month earlier so he can pay his creditors, who are pressing

mentioned above as registering a proselyte may also list a "captive of debt," if we take the word *al-maḥbūs* that way. He received fifteen (dirhems, apparently), the largest sum apportioned (the proselyte got the same, as did a cantor from Tyre).[33]

Debt, captivity, ransom of captives, and echoes of the talmudic halakha resonate together in the letter, cited above, appealing for help for a member of the pietist circle of the nagid Abraham Maimonides. Among other things, he was in arrears for his poll tax and needed money to purchase the tools of his trade. "I ask you please to help by (fulfilling) this religious duty (*miṣva*), which is a great religious duty (*miṣva rabba*), because a legal writ is only as good as its signatures, and there is not in the world a greater religious duty than this one: helping to marry an orphan to an orphan girl, *and paying someone's poll tax, which is tantamount to ransoming of captives*."[34]

Captivity in the form of imprisonment for failure to pay debts was so common in medieval Egypt that Maimonides, following his teachers, classified debtors among those to whom the cardinal religious duty of ransoming of captives applied.

> If the debtor has movables or landed property, but there are bonds outstanding against him in the hands of heathen creditors, and he says, "All my property is obligated to the heathen creditor and if the Israelites will levy upon it for their debts, the heathen creditors will imprison me for theirs, and I will be a captive," my teachers ruled that no heed is to be paid to his plea; let the Israelite creditors levy upon the property. *If the heathen creditors should come and imprison the debtor, it is incumbent upon all Israel to redeem him.*[35]

The Poll-Tax Burden

As the Geniza documents we have thus far discussed and many others show, for the poor and those living on the margin of solvency, the annual poll-tax obligation was an onerous burden.[36] We hear about it mostly when people were in arrears, in debt. We recall Goitein's estimate that one in four Jewish breadwinners lived in poverty in Fustat in the middle

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him. *TS 10 J 6.17: a newcomer under house arrest for a debt appeals for assistance in his predicament. He had been paying interest for nine months, in addition to the guardsman's salary.

[33] TS Box K 15.70, line 5 (on the same line as the cantor from Tyre).

[34] TS 12.289, lines 20–23, ed. Goitein, *Tarbiz* 33 (1963–64), 189–92.

[35] Mishneh Torah, Hilkhot malveh ve-loveh 1:6, English trans. Jacob J. Rabinowitz, *The Code of Maimonides*, Book Thirteen (New Haven and London, 1949), 79–80.

[36] See especially *Med. Soc.*, 2:380–92, 5:91–92.

of the twelfth century.[37] Those people suffered a great hardship each time the poll-tax season rolled around.

Islamic jurists were divided on the questions of whether the poor should be exempt from the poll tax and on what defined the poverty line. The Geniza documents illustrate vividly that the poor (and the invalid and the old, who also usually were poor) were not released from this annual obligation, either in the Fatimid or the Ayyubid period.[38] The memo to the Egyptian government concerning poll-tax payments of the poor mentioned at the beginning of chapter 2 puts it clearly. "The impoverished of the people of Fustat and Cairo who cannot pay anything, whose payment must be postponed until the beginning of the year: One hundred and fifty. Those whose condition does not allow more than two dinars to be taken from them in installments: one hundred and fifty."[39] Even the young were liable, as we learn from many a father's complaint that he was overextended because he had to pay the tax not only for himself but for his sons.[40] Or, we hear the plaintive voice of a poor, blind widow with a small orphaned son, also blind, that "they dem[anded from me] the p[oll ta]x and we two do not even have br[e]ad."[41] Since family members were held responsible for each other's poll-tax payment, the levy proved broadly burdensome in a mobile society in which male members of a family often traveled far and for a long time, not to mention when they fled to escape physical harassment or imprisonment.[42]

The burden of the poll tax was felt all the more personally and directly because in Egypt Jews paid as individuals. Things were different in nearby Palestine, at least in Jerusalem and apparently also in Tiberias,

[37] *Med. Soc.*, 2:139–40.

[38] *Med. Soc.*, 2:381 and a thorough article on the subject by Eli Alshech, "Islamic Law, Practice, and Legal Doctrine: Exempting the Poor from the Jizya under the Ayyubids (1171–1250)," *Islamic Law and Society* 10 (2003), 1–28.

[39] TS Arabic Box 38.95, ed. Khan, *Arabic Legal and Administrative Documents*, 493–95. Discussed by Goitein, *Med. Soc.*, 2:468, App. B 110, where he translates slightly differently: "Indigents in Fustat and Cairo: Entirely destitute, to be deferred to next year—150 persons. Others whose state is unknown, but from whom not more than 2 dinars can be taken, and this only in installments—150 persons."

[40] *Med. Soc.*, 2:382–83.

[41] *TS12.303, lines 11–12, ed. and trans. Cohen, "Four Judaeo-Arabic Petitions of the Poor," 456–59. I do not think she was referring to the poll tax for herself, as women were exempt according to all schools of Islamic law.

[42] "I have come from Alexandria in great distress," writes a man in Hebrew, evidently a newcomer to Egypt from Europe. "I owe fifteen dinars [Hebrew: *zehuvim*, lit. "gold coins," equivalent to the budget of a middle-class family for seven months], and I left in my house four daughters and two sons, starving, naked, and lacking everything, with the tax collectors harassing them on my account. I have come here [to Fustat] seeking sustenance to get out of debt . . . and return to my children. . . . Send us to our home country, that we may return to our place." TS 13 J 17.9, lines 12–17, 22, ed. Bareket, *Te'uda* 16–17 (2001), 367.

where the government collected the tax from the community as a whole. On the other hand, for that very reason, communities in Palestine often fell into debt to moneylenders and needed "charity" themselves.[43] The tax authorities collected the money with fierce regularity and hounded evaders, while rapacious collectors might try to extort more than the canonical due. It is true that there were occasional alleviations for the poor, and it seems that in the countryside rates were lower. There were also towns and villages outside the main cities where, for some unstated reason, one could avoid having to pay altogether.[44]

In general, however, the poll tax was the only discriminatory obligation imposed on the non-Muslims that was rigorously and regularly enforced, even when most other disabilities, especially in the Fatimid-Ayyubid period in Egypt, were not. Moreover, Jews (as well as Christians) knew that payment of the tax was the key to the protective guarantees of the dhimma system. So it was stated—echoing an opinion in Islamic law—in a tenth-century anecdote about Jewish life in Baghdad: "the poll tax is in defense of a person's life, and by force of it the Jew observes his religion, his Sabbath, festivals, and Day of Atonement, and all else he chooses to do in his religion, and no one disturbs him." This statement is also echoed in a Geniza letter from the first half of the fourteenth century.[45] What follows from this, of course, is that the poor lived in apprehension and fear of the consequences when they could not afford to pay or when individuals or the community were slow to take up the slack. In general, however, subsidies for the poll tax of the poor were high on the community's philanthropic agenda and constituted a recurring element in private charity for the poor.

[43] Gil, *Palestine*, 144–54. A letter reports about a joint Karaite-Rabbanite collection of just over 133 dinars made in the capital of Egypt (and more was on the way from other parts) for the Jewish community of Jerusalem, which was hard-pressed by Muslim moneylenders. *TS 13 J 8.14, *Med. Soc.*, 2:472, App. C 4 (first half of the eleventh century). Cf. also *Med. Soc.*, 1:257. On the method of collection see also Alshech, "Islamic Law, Practice, and Legal Doctrine," 10.

[44] *Med. Soc.*, 2:387–89. An example of a small village where the poll tax was not collected: TS 18 J 3.1, line 27 to verso line 1, cf. *Med. Soc.*, 2:386 and 611n24 (*man yaskun fīhā lā yazin jāliya*). In a petition to an Ayyubid Sultan (found in the Geniza), a needy Jew asks to be transferred to a lower poll-tax rate. TS Box H 15.62, ed. Khan, *Arabic Legal and Administrative Documents,* 369.

[45] Tenth-century anecdote: Cohen, *Under Crescent and Cross*, 71; fourteenth-century letter: ENA NS 21.12, lines 1–4, trans. Goitein, *Tarbiz* 54 (1984–85), 89–90. Goitein notes that the same letter quotes Isaiah (60:17), *ve-nogsayikh ṣedaqa*, which is understood as "those who oppress you [by taxing you] treat you charitably [by not harming you]." Opinion found in Islamic law: "God ordained to impose one dīnār on every adult and did not draw a distinction [between people]. Since the jizya is paid so the payer's life is spared (*li-ḥaqn al-dam*—the same language used in the tenth-century Jewish anecdote), and in return for living in Dār a-Islām, the rich and poor are equal with regard to sparing life and the interest to live [in Dār al-Islām]." Quoted in Alshech, "Islamic Law, Practice, and Legal Doctrine," 24n75.

Chapter Five

WOMEN AND POVERTY

WE HAVE ALREADY encountered indigent women as foreigners, as captives, and as debtors. Here we address the problem of poor women in terms of their gender, asking to what extent Jewish women in medieval Egypt became victims of poverty by virtue of being women and what strategies they employed to deal with their plight. The Geniza provides ample opportunity to investigate these questions, particularly because through the letters preserved in this treasure trove we are able to hear the voices of women themselves. These kinds of data are almost entirely absent from Islamic historical sources, where—if we hear about women at all—they are usually upper-class women. We hear very little about Muslim women from the underclass of society.

It must be stated at the outset, however, that the Geniza gives us only a partial picture of women and poverty. The needy women who appear in the Geniza records are mainly those who were not able to find succor in the bosom of their families. Those who did did not leave a documentary trail.

Indigent Widows, Divorcées, and the Quest for Private Charity

While we hear in some responsa from medieval northern Europe about widows who achieved a certain power and financial success after the death of their husbands,[1] the Geniza, with its hoard of letters of appeal and alms lists, paints the other and more typical side of the picture.[2] Goitein writes: "[F]or the wife, the death of her husband was a disaster. She lost her support and even her domicile and could rely only on the remnants of her dowry, her other possessions, and the promised late marriage gift, all of which were often uncertain and insufficient assets. Indigent widowhood

[1] Cheryl Tallan, "Opportunities for Medieval Northern European Jewish Widows in the Public and Domestic Spheres," in *Upon My Husband's Death: Widows in the Literature and Histories of Medieval Europe*, ed. Louise Mirrer (Ann Arbor, 1992), 115–27.

[2] As depicted for European Christian women, for instance, in David E. Vassberg, "The Status of Widows in Sixteenth-Century Rural Castille," in John Henderson and Richard Wall, eds., *Poor Women and Children in the European Past* (London and New York, 1994), 180–95.

was a calamity for the woman concerned and an imposition on the community."[3] The "poor widow," of course, constituted the classic group of female poor in most societies, singled out, for example, in prologues and epilogues to ancient Near Eastern law codes, in the Hebrew Bible, and in early Christian works, alongside the other classic "weak" person, the orphan.[4] In an entirely different time and place, they show up in abundance, often with children in tow, in pauper letters from early industrial England.[5]

Through the Geniza papers we learn about the plight of widows attempting to collect the debts owed them by stipulation in their marriage contracts. We witness struggles over property between widows and the heirs and business partners of their deceased husbands. We read about widows as executors and guardians of their husbands' estates. We observe their valiant attempts to feed and clothe their minor children with often paltry child-support allotments. We are privy to stories about difficulties women experienced finding and keeping adequate domicile.[6] The stories are not confined to widows, and so we cast a wider net in what follows, embracing other women as well in their role as suppliants for charity. The anecdotal evidence is moving.

A representative and particularly fascinating story of a woman in need is related in a pair of petitions (one written two months after the other), addressed by the widow of the cantor Ben Naḥman to the head of the Jews, *hadrat ha-ge'onut* (several heads with this Hebrew title are known in the twelfth century). She owned a share of a house that had been left to her by her late husband. She lived in the upper story and sustained herself and her son with the rent from another apartment her husband had bequeathed to her. But her stepson, with the support of his aunt (her late husband's sister), threw her out onto the street without her belongings. When she tried to reenter the house, the stepson attacked her on the street. He beat her so badly that he would have killed her had someone (a Turk) not fortuitously been passing by while she was crying for help. The deed of ownership to the apartment was not in her possession. Her in-laws, who lived in the same courtyard, had taken the document from her some time earlier when it had been necessary to make repairs to the surrounding wall. Her sister-in-law, the stepson's aunt, owed her five months rent on an apartment in the same compound that her late brother had given to his widow. Little wonder the aunt supported her nephew in his aggressive action to deprive the widow of her right of ownership. Our widow

[3] *Med. Soc.*, 3:250. We hear little about widowers.
[4] Norbert Lohfink, "Poverty in the Laws of the Ancient Near East and of the Bible," *Theological Studies* 52 (1991), 34-37; Deuteronomy 24:19 and elsewhere; Brown, *Poverty and Leadership*, 58. Surprisingly, the widow as a needy person does not appear in the Qur'ān.
[5] Sokoll, *Essex Pauper Letters*, Index, s.v. widows.
[6] *Med. Soc.*, 3:250–60.

could not rely on her brothers for help, she writes. They were unable to appear in public because they were evading the poll-tax collector.[7] The petitions of the widow of the cantor Ben Naḥman vividly illustrate the impoverishment of wives who lost their husbands and could not get help from their families. Instead, their strategy was to appeal for outside help.

In their susceptibility to indigence, divorcées (and divorce was frequent in the Geniza world)[8] were not much better off than widows. Both had claim to the "delayed" marriage payment promised by their husbands in the marriage contract and to the principal amount of the dowry they had brought with them into the marriage. But then, as now, women could not always easily collect, or collect everything. Even when the money was there, widows and divorcées alike had to hope their husbands or their husbands' heirs would pay up. (In divorce, a wife could waive these rights in order to "initiate" termination of an unhappy marriage.)[9] Jewish law did not automatically award widows any additional part of their husbands' financial estate. They were, however, eligible under certain conditions for maintenance for themselves as well as for their children after their husbands' death and sometimes took possession of other property of their husbands if the latter had specifically stipulated this in their will or made a gift to their wives prior to their death (often with the condition they not remarry).[10] Depending upon the amount of their husbands' contractual obligations and their own success collecting, widows and divorcées might suffer greatly from the loss of their marriage.

For divorced women of the lower classes, impoverishment or near impoverishment could result when their former husbands failed to pay monies due them or their children. The following illustrates. A divorcée

> came to me complaining and crying about what the husband who divorced her had done to her. [She had] a little girl who was suckling and she was completely destitute. She said that he had alloted to her for [her daughter something] each month. She had prostrated herself at the house of my master the parnas (Eli b. Yaḥyā?) and asked him to [help] her retrieve her clothing, which he did. But she has now gone eight months without him (her ex-husband) giving her any money. This is a permanent catastrophe. He allots the little girl a quarter din(ar) each month, but she gets nothing.[11]

[7] *TS 10 J 16.4, cf. *Med. Soc.*, 3:259 (Goitein means "head of the Jews" when he writes "nagid") and TS 13 J 13.6, both ed. Cohen, "Four Judaeo-Arabic Petitions of the Poor," 459–64.
[8] *Med. Soc.*, 3:260–64.
[9] *Med. Soc.*, 3:267, and Mordechai A. Friedman, "The Ransom-Divorce: Divorce Proceedings Initiated by the Wife in Medieval Jewish Practice," *Israel Oriental Studies* 6 (1976), 288–307.
[10] *Med. Soc.*, 3:251.
[11] CUL Or 1080 J 192, lines 7–11. Cf. *ENA 40.11.17: a divorcée is awarded as child-support

We recall, too, the poor divorcée from Palestine who arrived in Egypt with her infant daughter and wanted to go home. Luckily, she obtained a letter of recommendation from the nagid Abraham Maimonides addressed to the community of Alexandria asking them to provide her with a travel subsidy.[12]

The Jewish court, and by extension the community, served both in legal theory and in practice as "the father of orphans and the judge of the widows." This mandate was based on a description of God in Psalms (68:6; cf. Deut 10:18) and is amply attested in the Geniza. Rabbinic literature speaks mainly of orphans ("the court is the father of orphans"): the complete biblical phrase, "father of orphans and judge of widows," is not very common.[13] But the Geniza demonstrates that the court (and community) took the part of both, trying to assure that widows as well as orphans received their due.[14] The halakhic protection assumed even broader application in our period, as even deserted or neglected wives expected help from the authorities on this basis.[15] Even an impoverished divorcée who had not yet collected her delayed marriage payment and whose seven-year-old son lived with her in Fustat, far from her ex-husband's home in Alexandria, could invoke the phrase in Arabic translation when appealing for assistance to the nagid, the chief judicial authority of the community.[16]

The full biblical phrase appears once as the epigraph to a Geniza petition: "[In the name of Go]d, the merciful and compassionate, father of orphans and judge of widows." A foreign widow with children relates

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for her daughter a larger amount than that allowed by Jewish law and is enjoined henceforth to stop bad-mouthing her ex-husband.

[12] CUL Or 1080 J 34. Cf. *Med. Soc.*, 2:136.

[13] I found it once in postbiblical literature in the Bar Ilan database, in the responsa of the Mabit (Moses b. Joseph Trani, Safed, Palestine, sixteenth century), vol. 3, no. 99. The first part of the biblical phrase, standing for the responsibility of the court as "father of orphans," fulfilling responsibilities of the deceased father, appears commonly. I discuss the matter in my article, "Halakha and Reality in Regard to Charity in the Documents from the Cairo Geniza" (Hebrew), in *Ha-islam ve-ʿolamot ha-shezurim bo* (Intertwined Worlds of Islam: Essays in Memory of Hava Lazarus-Yafeh), ed. Nahem Ilan (Jerusalem, 2002), 328–32. In a parallel from medieval Christian society, eccleciastical legal sources (canon law) incorporated the concept of "furnishing widows, as well as orphans and indigents, with legal counsel and representation, and, thus, assist them in protecting their personal and property interests." James A. Brundage, "Widows and Disadvantaged Persons in Medieval Canon Law," in *Upon My Husband's Death: Widows in the Literature and Histories of Medieval Europe*, ed. Louise Mirrer, 193–206; quotation from p. 195.

[14] *Med. Soc.*, 2:36, in connection with the nagid, the chief Jewish judicial authority ("the judge of the widows and father of the orphans"), and ibid., 3:295 regarding the practice of the courts undertaking the care of orphans.

[15] *Med. Soc.*, 2:529n64.

[16] TS 8 J 22.2, line 13: *liʾannaka abū al-aytām waʾl-arāmil.*

her woes. They hadn't eaten bread for three days. "You take the part of men and those who are able," she says in her appeal to the elders of the community, "and I would appreciate it if you would take my part and provide something I can sustain myself with for the journey. I would then get up and go to my family in Palestine (Sha'm)."[17]

"A Widow during His Lifetime": Wives of Absent Husbands

"My husband le[ft me and f]led to Alexandria and left me a 'widow during (his) lifetime' (*armalat al-ḥayāt*)," writes a woman whose plight is emblematic of women thrust into poverty by desertion (Goitein devotes fully ten pages to "the runaway husband").[18] The times were hard for everybody, she adds. This presumably explained her husband's flight. She was nearly blind ("I cannot [dis]tinguish night from day") and had a three-year-old daughter. A docket in the margin identifies the case by its most salient fact: "The wife of Maʿānī who has fled."[19]

The unusual Arabic locution "a widow during (his) lifetime" is not unique to this letter, but reflects a common situation. Found in Hebrew in the Bible (*almenut ḥayyut*, 2 Samuel 20:3), it stands in for the normal rabbinic expression, *ʿaguna*, literally, "anchored," that is, to the missing husband because his death cannot be attested—like the English "grass widow." A Hebrew letter of recommendation on behalf of an abandoned wife says she has been "in widowhood during the lifetime (of her husband) (*be-almenut ḥayyut*) more than three years." The "widow" lived in Damascus (where the letter was penned) and had four children to support (they are "dying from hunger," she says). Her husband had converted from Karaism to Rabbanite orthodoxy and had headed for Fustat for a handout (hence the letter was sent there). She wants him to come home, or, if he has moved on or is rumored to have died, wants a letter to that effect. Two eyewitnesses to his death would free her from being "anchored" to her marriage and permit her to remarry.[20]

[17] ENA NS 22.7r, cf. *Med. Soc.*, 5:89 and 530n220. Goitein suggests the letter was sent to the Karaite community, where one turned to the elders, as here, rather than to the judge.
[18] *Med. Soc.*, 3:195–205.
[19] *TS 13 J 18.18.
[20] ENA 3787.10, ed. M. Friedman, *Leshonenu* 40 (1976), 296–97 (reproduction in Marina Rustow et al., *Scripture and Schism: Samaritan and Karaite Treasures from the Jewish Theological Seminary Library* [New York, 2000], 80). Cf. *Med. Soc.*, 3:199 and 5:371. See also in a legal document in which a woman testifies about her husband who left her "in widowhood in his lifetime" (*be-almenut hayyut*); CUL Or 1080 Box 4K.15, lines 4–5.

A fascinating letter of appeal to the community comes from the young wife of an older man who had failed to live up to his marital obligations, neither supporting her financially nor observing her conjugal rights (he rarely came home at night, she says). Her mother, who took care of her for ten years during which time her husband gave her "no clothing except one wimple," had died three years earlier. She had then sold her dowry to make ends meet, but all of that was now gone. "Had I said less in this matter, it would have been sufficient." But, she threatens, if she did not get help from the community, she would resort to the Muslim court.[21]

Even more intriguing is the complaint concerning a wife whose husband had deserted her and their children to join a Sufi convent in the hills around Cairo. Nearly perishing "from loneliness and from the quest for food for her young children," she petitions the nagid David II b. Joshua (1355–1374) to take steps to return her husband to the fold. Being realistic she writes, "Your slave does not wish from him what is beyond his capacity, nor (to be raised to) the level of 'surplus.' Your slave seeks only to remove him from the mountain and have him take care of his young children." The concept of "surplus," *ghinā'*, is significant in defining the poverty line in Islam.[22]

Next to outright desertion, absenteeism looms large as a cause of wives' impoverishment. Husbands traveled frequently and widely for business and other reasons, sometimes for long periods of time, and often did not provide adequately for their families in their absence. Absenteeism often eroded marriages.[23] We hear about the trials of women in this situation or in other situations of isolation when they took things into their own hands, for instance, a woman with an affliction in her hand who could not work and who "went out on her own seeking sustenance for herself and her dependent children."[24]

[21] TS 18 J 3.2, trans. Goitein, *Med. Soc.*, 3:217–18; cf. 3:195.

[22] TS 8 J 26.19, lines 10–margin, ed. Goitein, *Jewish Quarterly Review* 44 (1953–54), 41–49. Cf. M. M. Bravmann, "'The Surplus of Property': an Early Arab Social Concept," *Der Islam* 38 (1962), 28–50. Also cf. Bonner, "Definitions of Poverty and the Rise of the Muslim Urban Poor," 335–44. Goitein does not understand the phrase in this sense. He translates: "and what the maidservant entreats him (the nagid) to do is not beyond his power nor the high degree of his influence." I believe the Islamic technical meaning is reflected here. Cf. the following defintion of *ghinā'* from Abū Ya'la, *Al-Jāmi' al-ṣaghīr*, 81: "it is prohibited to grant zakāt to a *ghanī*, i.e. he who has enough to sustain himself (*al-wājid li-kifāyatihi bi-māl*) or who has an occupation (*ḥirfa*) or who has in his possession 50 dirhems . . . even if 50 dirhems do not sustain him he is still classified as *ghanī* and must not be paid zakāt." I am grateful to my student Eli Alshech for bringing this text to my attention. See also Mattson, "Status-Based Definitions of Need in Early Islamic Zakat and Maintenance Laws," 41.

[23] "Absenteeism of the husband was the most widespread cancer of marital life as known to us from the Geniza." *Med. Soc.*, 3:155.

[24] CUL Or 1080 J 44, lines 10–11, ed. Gil, *Ereṣ yisrael*, 3:430–31.

The following responsum found in the Geniza also shows how a woman might use what little power she had at her disposal to overcome the poverty engendered by an absentee husband.

> What does our lord, may your glory be exalted and your greatness increase, say regarding a woman whose husband, the Kohen, went on journeys once, twice, three times, and she never knew when he was about to travel? He did not leave her enough to eat or drink. So she took an oath causing fright to the mountains that she would not stay with him after this time. Whenever anyone speaks to her about making peace with him she renews her oath that she will not live with him.[25]

The voice of the wife of an absentee husband rings loud in notes on a small piece of paper meant to be used to draft a court record. "My husband, ʿAbbās b. Khalaf, left for an inn in the Land of Isr(ael) eight years ago, leaving me naked and hungry, lacking everything, having to rely on the community (meaning: the communal dole). He has not sent me a thing during these years. Therefore, be witnesses on my behalf."[26]

Two responsa of Maimonides (not from the Geniza) relate the fascinating case of a wife whose husband was frequently absent and who took things into her own hands to ward off poverty. The two versions represent the "facts" as submitted by the husband and the wife, respectively. Undisputed is that the husband left her often to travel, and, as a result, she was strapped financially, with a growing family, first one, then two children. One of the responsa describes her poverty vividly: "He went off on a trip a second time and did not leave her enough for even minimal survival. He was absent for another three years, during which his wife turned twenty-five. She was greatly humiliated on account of her dearth and her two children, who were hungry more often than they were sated." In desperation, she turned to working as an elementary school teacher with her brother (unusual for a woman, she had learned to read the Bible). The husband, who had returned but was no longer living with his estranged wife, protested her working outside the house, especially since her brother had gone away and left the school in her sole hands. Jewish law frowned upon women working as teachers of young children, fearing possible sexual improprieties with the children's fathers. If she refused to abandon her job and come home to live with him as a dutiful wife, her husband wanted to take a second wife (to divorce her would have meant alienating her share in the family home to another man if she remarried). Maimonides had some good (and curiously pro-feminine)

[25] TS 8 J 23.23.
[26] TS 8 J 34.12.

advice for her. She ought not to be teaching, but if she wanted, she could forfeit her late marriage payment and secure her divorce, in which case she would be free to teach whom she wanted.[27]

Revealing, in Goitein's words, "the full misery of a woman tormented by repeated desertions by her husband" is the case of the "poor foreign woman" Hayfāʾ.[28] She came from Acre. There her husband, Saʿīd, a silk weaver, had abandoned her pregnant (no birth is mentioned). Later he returned, "stayed with me until I was with child," and went away again. She gave birth while he was gone, reared her son until he reached a year old, whereupon the wandering Saʿīd returned. Soon they were driven from their home because of some unspecified incident, and they arrived in Jaffa. There Saʿīd again deserted Hayfāʾ. When she attempted to return to her own family, they rejected her, so she resolved to travel to Egypt, collecting charity ("uncovering my face") on the way. She tried to catch up with her elusive husband in Malīj, only to learn that he had left his brother's place there to return to Palestine. In despair, she appealed to a notable in Fustat, an unidentified official in the community as his title indicates:

> I now ask my lord the ḥaver, may God perpetuate your authority, to assist me by writing to someone there who would induce him to have compassion on me and his child, for the boy is like an orphan; anyone who looks at him has compassion with him and blames his father. If he responds and has compassion on me and his son, fine; otherwise have him set me free (i.e., divorce me) and I won't blame him for what he did to me. If he won't, I call upon God to judge him day and night.[29]

With a divorce, Hayfāʾ could at least (hopefully) collect her late marriage payment and would not have to seek alms from the community.

Needy Women on the Move

Hayfāʾ is but one of many impoverished women we encounter on the move in search of charity in this society, in which women normally stayed out of the public eye. Grinding poverty often compelled them to employ such a strategy. A widow from Damascus left home with two orphan

[27] Rambam 34, ed. Blau, 1:49–53, and ibid., 1:71–73 (no. 45); cf. *Med. Soc.*, 3:344–46; Renee Levine Melammed, "He Said, She Said: A Woman Teacher in Twelfth-Century Cairo," *AJS Review* 22 (1997), 19–35. My translation differs a bit from hers.
[28] *Med. Soc.*, 3:196–97.
[29] TS 13 J 8.19, lines 17–21, trans. (slightly condensed), *Med. Soc.*, 3:197. My translation of these lines is complete and differs partly from Goitein's.

children and traveled to Ascalon, Palestine, where she obtained a letter of recommendation from the muqaddam of the community. Armed with this testimony to her need, she traveled to Egypt and reached Bilbays, where she received "what was within the capability" of the local community. She requested another letter to one of the chief judges of New Cairo, Isaac b. Sason, the contemporary of Maimonides, and that letter has survived.[30] We marvel, too, at the courage and fortitude of the proselyte widow we met earlier, whose travels took her across the Pyrenees from her home in southern France and then from Christian Spain to the Muslim sector as far as Fustat.

In a gendered pattern evident from the texts we have discussed, most of the indigent women who wrote seeking assistance or had others write on their behalf turned to communal officials, such as judges, heads of the Jews, or the community as a whole.[31] The men, on the other hand, were more likely to write to private individuals or to carry letters of recommendation addressed to private persons asking them to provide the needy letter-bearer with assistance. If, as seems to be the case, the women were more accustomed to turn to Jewish officialdom, this certainly can be explained by the norms and etiquette of society. Turning to a man outside her family meant unwanted exposure, unless the man had some official function in the community. This preference on the part of women for addressing appeals to the community was strengthened, especially for the widows, most of whom had children, by the concept that the court is "father of orphans and judge of widows."

Women in Debt

In the chapter on the Middle Ages in *Women and Credit in Pre-Industrial and Developing Societies*,William C. Jordan notes that while there exists considerable information about female Christian borrowers, "it is very difficult at this stage in the scholarship to pursue [the] issues or to stake out the precise role of women in Jewish society as borrowers for domestic

[30] TS AS 147.22, cf. *Med. Soc.*, 3:340.

[31] A woman sojourning in Fustat from Ascalon who appealed in her letter privately to a local Jewish courtier seems exceptional: CUL Or 1080 J 40, ed. Gil, *Ereṣ yisrael*, 3:505–508. Other examples of women turning to community heads or to the community: TS 13 J 20.27, an appeal to the head of the Jews Samuel ha-Nagid b. Ḥananya; Mosseri L 95, a widow writes to head of the Jews Abraham Maimonides; ENA 1822A.50, a widow appeals for help to a nagid; TS NS J 430, a blind woman appeals to the head of the congregation and to the congregation; CUL Or 1081 J 8, a woman writes to the judges and the community; CUL Or 1081 J 7, a woman from Tyre appeals to a head of the Jews or perhaps head of the yeshiva.

consumption, let alone explore the social dynamics of their role."[32] Questions Jordan would like to answer include the extent to which women borrowed in spite of community mechanisms to help the poor, and whether lending to women was exploitative or charitable.

The little evidence I have found in the Geniza in connection with debt and poverty suggests that women did, indeed, borrow. But it is not always possible to determine whether their indebtedness preceded their indigence, leading them to borrow as a way out of debt, or resulted after they borrowed to offset existing need. For instance, nothing can be decided in this regard from an appeal to the judges and the elders of the community made by an unnamed widow and mother of four who calls herself simply "the widow, destitute and debt-ridden."[33]

Women on Public Charity

The evidence we have drawn upon so far, coming from letters and legal documents, mostly portrays women seeking to avoid "uncovering their face" in the alms lines. Indigent widowhood and divorcehood (also the indigence experienced by deserted or abandoned wives) counted in the first instance as conjunctural poverty, and that is why so many women appear as suppliants for private charity or for ad hoc charity from the community. But especially the widows—confirming the ancient topos of "widows and orphans," the typical weak persons vulnerable to poverty—experienced such extended dearth that, like the structurally poor, they often had to turn to public welfare.

How many such women do we find on the public dole, women forced to uncover their faces to the community? Not unique to the Jews of Egypt, the number is enormous.[34] In addition to those on the alms lists whose marital status is stated (married, widowed, divorced), we encounter mothers, mothers-in-law, daughters, sisters, slave girls, female proselytes, orphan girls, and an uncountable number of women who are identified simply by a feminine suffix in their place-names or professions. Since most of the alms lists at our disposal are partial, fragmentary, or

[32] Jordan, *Women and Credit in Pre-Industrial and Developing Societies* (Philadephia, 1992), 25.

[33] *TS 13 J 18.10: *mara armala miskīna madyūna*. Another woman, who took a loan from a Jew before a Muslim court in partnership with a Muslim: *Med. Soc.*, 3:330. Goitein also gives examples of women who provided loans.

[34] Comparatively, a list of 238 needy Christian recipients of wheat in Toledo from 1538 contains a preponderance of women, 66 percent, 33 percent of whom were widows. In a partial record of another alms distribution (of cash) for Christmas 1573, the majority of recipients are females. Martz, *Poverty and Welfare in Habsburg Spain*, 201–2, 204.

otherwise damaged, not to speak of the fact that the Geniza itself is a haphazard and incomplete repository of documents, the data on women receiving public charity is necessarily partial. Many more women were on the dole than the ones we see.

If we attempt a sociological breakdown of women on the alms lists, trying to distinguish, for instance, among widows, divorcées, and abandoned wives, we are immediately faced with terminological difficulties, which we can best illustrate through a short philological digression. The entries do not always reveal unambiguously the women's marital status, though occasionally we find the terms *armala*, "widow" (and, less frequently, the Hebrew *almana*), and *muṭlaqa*, "divorcée." The word most frequently used to identify a woman is *imraʾa* or *marʾa* (usually spelled *mara*), whose root meaning is "woman" but which is also the common Arabic vernacular term for wife. The unambiguous *zawja* for "wife" also appears, though somewhat less often.

One might be tempted to ascribe the choice of term in a given list to the habit of the particular scribe, but we do not find internal consistency even in the same lists. Many have both imraʾa and zawja. When we encounter, side by side, *zawjat ibn Mujalliḥ* ("the wife of the son of the Glutton") and *imraʾa ḍarīra*, "a blind woman," the change of term suggests that the first was married and the second was not.[35] But what shall we say about the practice of the scribe who lists an *im[ra]ʾat p[arna]s? skandrī* ("the wife of the parnas? from Alexandria"), followed immediately by a zawja (whose husband's name is effaced), another zawja a few lines below that, a *zawjat Munajjāʾ* near the top of another list on another page of the same record book, a *zawjat Hārūn* four entries below that, a *marʾa armala min Benhā* two lines following, a *zawjat Mūs[ā]* four entries down, and, below, in yet a third list from the same scribe's ledger, a *marʾa bint al-Sār* ("the wife, the daughter the 'Dignitary'" [a Jewish courtier]) and evidently the same *zawjat Mūsā* as above.[36] Or, did another scribe, who compiled a list of persons, households, or groups in receipt of wheat (103 entries preserved) mean something different when he wrote zawja (four times) and imraʾa (twice)?[37] The same could be asked about the scribe who recorded in a bread distribution list three zawjas and one imraʾa.[38]

Goitein believes that the vast majority of women designated by the neutral word *imraʾa* were actually widows. He thinks "wife" was employed euphemistically: "[f]or the clumsy word *armala*, 'widow,' invariably *mara*, 'wife,' was used, for example *marat al-shaykh al-mayyit*, 'the wife of the

[35] TS NS J 438v, right-hand side, line 20, ed. Gil, *Foundations*, 423–28; *Med. Soc.*, 2:461–62, App. B 78 (1200–40).
[36] TS 8 J 6.3v.
[37] TS Misc. Box 28.184, *Med. Soc.*, 2:457–58, App. B 66 (1100–50).
[38] TS NS J 440, *Med. Soc.*, 2:463, App. B 86 (1200–40).

dead elder.'"[39] Further, he posits, most of the single women with children on the alms lists "must have belonged to this category."[40]

We can accept that a large number, if not most, of those recorded as "wife" were, in fact, widows. There are simply too many of them and, relative to their numbers, too few called armala, to escape this conclusion. Unfortunately, however, it is rare, and usually only in letters, that we find verification for this assumption. The heading on the petitions of the widow of the cantor Ben Naḥman cited above is *zawjat al-ḥazzan ben Naḥman*. But the woman was a widow, even though she refers to her husband's death equally euphemistically, "my husband (lit., my man, *rajulī*) did not pass away (*mā marra min hunā*) and forsake me without having me dwell in the house."[41] It is absolutely certain, too, that the suppliant in another letter, *imraʾat Abū Saʿīd b. Shalom*, was a widow, as her petition to the nagid for charity describes her husband's death, and she also writes the formula "who rests in Eden" after his name.[42] However, the "wife of the dead man" Goitein cites as his crux proof is actually a special case. She appears in several bread distribution lists from around 1107, part of the group of foreigners or captives from Rūm (from Byzantium apparently) who had recently arrived in Fustat.[43] Obviously she was a widow. But the seemingly odd locution can have another explanation, if we assume that the scribes simply did not know the name of her husband, who was not a local person. The brothers of the same anonymous deceased man, *ikhwat al-mayyit*, also show up.[44] Similarly, a number of anonymous Rūm women from this cohort of newcomers ap-

[39] *Med. Soc.*, 3:63. The terminology of widowhood in wills of women from preconquest England is similarly problematic, according to Julia Crick, "Men, Women and Widows: Widowhood in Pre-Conquest England," in Sandra Cavallo and Lyndan Warner, eds., *Widowhood in Medieval and Early Modern Europe* (Essex, 1999), 24–36. Women are described as widows explicitly "in only a handful of instances" (p. 33). In many cases the term "wife" occurs, and this creates ambiguity, unless, as in one particular example given (in Latin), the passage, "[i]f her husband died, a wife (*uxor*) may take another within a year," makes her status crystal clear (p. 34 and note 57). In the case of preconquest England, Crick suggests there was an absence of "a developed terminology of widowhood" (p. 35). This seems a bit strange given the fully developed concept of widowhood ("widows and orphans") in early Christian texts about almsgiving (this, in turn, doubtless influenced by the Hebrew Bible's frequent pairing of the widow and orphan in verses about care for the indigent). In the Geniza, absence of a terminology of widowhood cannot be claimed. Goitein's explanation, about euphemistic language, may hold true, but the caveats about generalization given below complicate the matter.

[40] *Med. Soc.*, 3:259–60.

[41] *TS 13 J 13.6, lines 9–10. Cf. *Med. Soc.*, 3:484n61.

[42] ENA 1822A.50. See also TS 10 J 11.5, a letter from "*imr[aʾat]* Abū Sarrī, may God have mercy on him," using the Islamic prayer for the dead.

[43] Another instance: *TS Box J 1.4v, left-hand page, line 10.

[44] *TS NS J 41r, left-hand page, line 14, and *TS Misc. Box 8.9v, right-hand page, line 14.

pear simply as *rūmiyya*, a total of nine in one list alone.[45] They could have been unmarried women, or widows or divorcées whose husbands' names, or other identifying information about them, were simply unknown to the scribes. The same goes for the anonymous entries of men called *rūmī* on these lists.

Generally, scribes tried to distinguish beneficiaries when they could so that each would receive his or her due. This was especially necessary when there were many indigents belonging to the same category, such as the Rūm group in Fustat around 1107. Thus we find "the Rūm woman, mother of the young boy," "the Rūm woman, daughter of the tailor,"[46] "a man from Rūm and an orphan,"[47] "a woman from Rūm and an orphan,"[48] and "the Kohen from Rūm."[49] The last two are significant for scribal practice because they occur together in a section already headed "the Rūm," including about forty-three names, among them these two, plus a Rūm man, a blind Rūm man and his guide, a Rūm woman (a widow?), a wife of a blind man, a wife of a man with an intestinal ailment, a Rūm boy, and the wife of the dead man mentioned above, obviously a widow, but perhaps the only one in the list.[50]

In other words, while there exists ample justification for assuming "widow," much if not most of the time when we find lone women or women with children on the alms lists, we should nonethelsss be careful about overgeneralizing. First of all, the very appearance at times of the explicit Arabic noun *armala* or Hebrew *almana* calls into question the assumption that this society felt the need for euphemism in this matter. Moreover, when we, occasionally, encounter *armala* on alms lists together with *zawja* or *imraʾa*,[51] this suggests that the husbands of the latter were still living. Their wives had probably come onto the dole either because their spouses were absent on a journey and they had run out of resources, or because their spouses had deserted them outright. Sometimes the word *marʾa* is paired with the word for "widow," a tautology unless we assume that the writer thought it would otherwise be

[45] TS 13 J 28.10v, right-hand column, lines 14 (two), 15 (two), 16 (two), 19 (one), 21 (one), recto, line two (one), *Med. Soc.*, 2:445, App. B 27 (ca. 1107). Recto contains a letter sent to the man who recorded the list on its verso and the margins of recto.

[46] Rūm women: TS AS 148.14 (b)r, left-hand page, line 5 (one next to the other) (ca. 1107), not in *Med. Soc.*, App. B.

[47] *TS Box K 15.39r, right-hand page, line 22, *Med. Soc.*, 2:443, App. B 21 (1107). The child was obviously in his foster care, perhaps the orphan of a relative living with him.

[48] TS Box K 15.39r, right-hand page, line 20, *Med. Soc.*, 2:443, App. B 21 (1107); also in TS Box K 15.5r, right-hand page, line 23, *Med. Soc.*, 2:443, App. B 19 (ca. 1107).

[49] *TS Box K 15.5r, right-hand side, line 11, *Med. Soc.*, 2:443, App. B 19 (ca. 1107).

[50] *TS Box K 15.5r, right-hand page, lines 10–25, *Med. Soc.*, 2:443, App. B 19 (ca. 1107).

[51] E.g., TS NS Box 324.132, *Med. Soc.*, 2:459, App. B 71 (1150–90), a list for distribution of clothing for the month beginning December 5, 1176.

taken in its essential meaning of "wife of a living person." We encountered a *marʾa armala min Benhā* on an alms list, which I take to mean she was a wife from the town of Benhā who had been widowed. In the entry for the woman "Muʾammala, a *mastūra* widow, who has never, ever, taken anything," "widow" is similarly represented by the compound *mara armala*.[52] The needy widow from Damascus with two orphaned children, whom we met earlier, is called *mara armala* in the letter of recommendation.[53] We find the compound also in a question submitted to Maimonides.[54] If *marʾa (mara, imraʾa)* meant "widow" unambiguously and universally, the addition of *armala* would have been extraneous in these cases. In the petition of "the poor widow with debts" (*mara armala miskīna madyūna*), the word *armala* is actually squeezed in above the line in the heading, suggesting that *mara* alone was deemed insufficient to alert the addressee that the woman writing was a widow—even though she says her children are orphans.[55]

One wishes that most scribes had been as precise as the compiler of the list of expenditures of cash in lieu of clothing for women for the two months falling between October 19 and December 17, 1193. The terms there for marital status are carefully differentiated: two widows (armala), three wives (one imraʾa and two zawjas), and one divorcée (muṭlaqa).[56] But that is not the case the vast majority of the time, so we must be wary about assuming automatically the equivalence of "wife" and "widow" everywhere.

It is possible sometimes, from the way their names are recorded, to identify women who were on the dole for reasons other than widowhood. It is quite clear that "the wife of the apostate living in the inn of Abū Thinā," the only woman so designated in the Geniza, as Goitein remarks, is not a widow.[57] Her husband's conversion to Islam would have left her abandoned, hence needy.

Women with incapacitated husbands must have turned to public charity precisely for that reason. Scribes seem to have listed them as such in order to delineate the specific reason for their need. One finds "the wife of the deaf man" (*imraʾat al-aṭrūsh*) in the same list as the widow

[52] *TS Arabic Box 30.67v, left-hand side, lines 5–7; *Med. Soc.*, 2:456-57, App. B 65 (first half of the twelfth century).

[53] TS AS 147.22, line 8; cf. *Med. Soc.*, 3:340.

[54] Rambam 274, ed. Blau, 2:522, *imraʾa armala ʿajūz,* from a manuscript found in the Geniza.

[55] See above note 33.

[56] TS Box K 15.13, b–c, ed. Gil, *Foundations*, 357–59; *Med. Soc.*, 2:418–19, App. A 34. Gil translates "widow" for *armala* and "wife" for all the rest.

[57] *Imraʾat al-poshea' allatī fī funduq abū thinā*: TS Box K 15.2v, left-hand page, line 7, *Med. Soc.*, 2:451, App. B 43 (1210–23); cf. *Med. Soc.*, 2:302, 592n12. The inn was a pious trust property; see Gil, *Foundations*, 36.

Mu'ammala;[58] a "wife of the deaf man" (*zawjat al-aṭrūsh*) on the carefully differentiated list from the end of 1193 just mentioned; "the wife of Hiba the blindman (*al-ḍarīr*)" on the same list and also seventeen years earlier, at the end of 1176 (another list differentiating between "wife" and "widow");[59] "the wife of Wafā' the blindman";[60] "the wife of Mufarrij the amputee (*imra'at Mufarrij al-aqṭa'*)";[61] a "wife of the deaf man" (*zawjat al-aṭrūsh*) on that same list (recorded next to an armala).[62] By the same token, an entry like "the son (or sons) of the deaf man" identifies children whose fathers were incapacitated, hence accounting for their childrens' indigence. But there is no reason to think their fathers were not living; otherwise they would have been called "orphan of the deaf man."[63]

The scores of women called Umm, identifying them as "the mother of" someone and likely also representing their *kunya* (the Arabic honorific equivalent of the male Abū), need not have been widows, though many doubtless were. When, for instance, on a list of distribution of cash and clothing we find several Umms and several widows (armala) on alternating lines and in one case on the same line, we are probably safe in concluding that the women differentiated by the designation *Umm* were not widows, but rather single or married women living in indigence.[64] On the other hand, the name *Umm al-yatīma* ("mother of the orphan girl") clearly describes a widow,[65] as does *Umm al-ṣibyān al-aytām* ("mother of the orphan errand boys").[66] But the very formulation, "mother of the orphan(s)," suggests that the children of many other Umms were *not* orphans and their mothers were not widows. *Umm al-ḍarīr*, literally, "mother of the blind person," who appears on several lists from about the same time, was probably collecting for her incapacitated child, if we are correct in assuming that the scribe identified her by the characteristic that had brought her to the dole. She may very well have been married

[58] *TS Arabic Box 30.67r, right-hand page, line 15, *Med. Soc.*, 2:456–57, App. B 65 (1100–40).
[59] Deaf: TS Box K 15.13, b–c, line 5, ed. Gil, *Foundations*, 357–59 (no. 90); *Med. Soc.*, 2:418–19, App. A 34 (1183); blind: ibid., line 4; seventeen years earlier: TS NS Box 324.132r, right-hand page, line 4; *Med. Soc.*, 2:459, App. B 71.
[60] TS Box K 15.85r, line 1, *Med. Soc.*, 2:448, App. B 34 (1100–40).
[61] *TS Box K 15.48v, right-hand side, line 22, *Med. Soc.*, 2:444, App. B 25 (1100–40).
[62] TS NS Box 324.132r, right-hand page, line 9; *Med. Soc.*, 2:459, App. B 71.
[63] *Ben al-aṭrūsh*: *TS Box K 15.15r, left-hand page, line 9, *Med. Soc.*, 2:443, App. B 20 (ca. 1107), and elsewhere. *Awlād al-aṭrūsh*: *TS Misc. Box 8.9v, right-hand page, line 17, *Med. Soc.*, 2:442, App. B 18 (ca. 1107), and elsewhere.
[64] TS 8 J 5.14, *Med. Soc.*, 2:448–49, App. B 36.
[65] *TS Box J 1.4v, right-hand page, line 14.
[66] *TS Box K 15.102r, left-hand page, line 2.

(was her husband unable to fetch the bread because he was away?).[67] It is difficult to decide the marital status of the pathetic *Umm al-maflūj wa-marʾat al-aqtaʿ David al-ḥammāl*, "the mother of the semiparalyzed person and wife of the amputee, David the porter."[68] Was her husband still alive and, because he was disabled, his family found itself on the dole? Were they divorced? Or was the woman indigent for three reasons: she had both a child and a husband who were infirm and could not work, and her husband, to judge from his profession, belonged to the Jewish underclass?

Indeed, many other women receiving alms had husbands who were infirm, and this no doubt constituted the reason they had had to resort to public charity. The wife of the man with an intestinal ailment (*al-mabṭūn*) collected bread with her compatriots from Rūm around the year 1107.[69] We recall the wife of Hiba the blind man and the mother of the blind man.[70] The wife of Bū ʿAlī, the blind man who came to the community for help, suffered from the same family misfortune.[71] So did the wife of Abū Saʿīd, the blind man, whose husband collected bread himself around the same time as she did.[72] He had been a silk worker or merchant before he lost his sight.[73] Remembering that the documentation is serendipitous, all these examples should be taken as but a token sample of a much larger group.

The stories of down-and-out women recounted in the Geniza letters and particularly their ubiquitous presence on the alms lists illustrate how widespread female indigence was. Most of this was a matter of gender. Their routine identification on the lists by marital status (differing in this respect from the men) in itself reflects the predictably gendered percep-

[67] *TS Box K 15.39r, left-hand page, line 13, *Med. Soc.*, 2:443, App. B 21 (ca. 1107); TS Box K 3.34r, right-hand page, line 9, *Med. Soc.*, 2:445, App. B 28 (ca. 1107); TS 13 J 28.10v, right-hand column, line 24, *Med. Soc.*, 2:445, App. B 27 (ca. 1107).

[68] TS Box K 15.85r, left-hand page, lines 1–2, *Med. Soc.*, 2:448, App. B 34 (1100–40).

[69] *Imraʾat al-mabṭūn*: *TS Box K 15.5r, right hand page, line 20, *Med. Soc.*, 2:443, App. B 19.

[70] See above at note 59.

[71] TS NS J 245, *Med. Soc.*, 2:462, App. B 84 (1200–40).

[72] *TS Box K 15.39r, left-hand page, line 23, *Med. Soc.*, 2:443, App. B 21 (1107). Her husband: verso, right-hand page, line 17. The columns are actually folded pages from a booklet containing records from several Tuesday and Friday distributions in October–November, 1107, and they are not consecutive. Three other leaves are also extant. See *Med. Soc.*, 2:443, App. 19–22 and correct date in ibid., 1:56.

[73] Abū Saʿīd the blind man, called *al-ḥarīrī* in a word added above the line: *TS Box K 15.5v, left-hand page, line 17. The wife of the blind man registered on recto of this leaf (line 13) might be his wife and she may be identical, too, with the woman in a list of distribution of wheat to Europeans (Rūm) from about the same time; *TS Box K 15.113, line 6, *Med. Soc.*, 2:444, App. B 26.

tion of their place in society, just as their quest through private charity to avoid "uncovering the face" on the public dole resonated with society's penchant to keep women secluded. Normally unable to work, or at least earn sufficient income to support themselves and their children; often disadvantaged as widows or divorcées by a halakha that denied women inheritance rights and by a social reality that made it often difficult to collect their due from their marriage contracts, women sought charity because of vicissitudes related to their gender. The young woman who took her life into her own hands and worked as a teacher represents an exception to the rule. She went out into the world of men, flouting Jewish law, but she did so because, like other women of the time plagued by poverty, she would not let her children suffer if she could help it. More often than not, however, these largely disempowered women wrote letters of appeal for private charity, or lined up, alone or with their small children, to collect bread or other alms from the communal dole.

Chapter Six

"NAKED AND STARVING," THE SICK AND DISABLED

FOOD AND CLOTHING, along with shelter are the necessities of life against which are measured the deficiencies of the poor in all cultures and at all times. Hunger and inadequate clothing are linked in ancient Egyptian, Hittite, and Assyrian writings, in the biblical prophets, in the Wisdom Literature, in the midrash, and in the Palestinian Targum.[1] Paralleling a passage in the midrash on Psalms, the Gospel of Matthew (25:31–46), in words attributed to Jesus, includes feeding the hungry, clothing the poor, and other acts of charity among the acts that can avert the dreadful Last Judgment.[2] The Talmud, as we have seen, spotlights food and clothing when it debates whether applicants for one or the other should be examined to see if they are falsifying their claims of deprivation.[3]

Moving to the Middle Ages, an Islamic saying goes: "Any Muslim who gives clothing to the naked, God will clothe him with the greens of the Garden; any Muslim who gives food to a starving Muslim, God will give him food from the fruits of the garden."[4] In medieval Christian iconography, the poor are represented as naked, for, as Michel Mollat writes, "nudity signifies utter poverty; emaciation connotes hunger; sores, deformities, and crutches represent physical handicaps," iconographic details that "correlate with the expressions and terms used by the chroniclers, hagiographers, preachers, and charters in referring, however summarily,

[1] Weinfeld, *Social Justice in Ancient Israel*, 222–29. A briefer version of the present chapter appeared in *The Journal of Interdisciplinary History* 35:3 (Winter, 2005), 407–21, in a thematic issue on "Poverty and Charity: Judaism, Christianity, and Islam" consisting of papers from the conference organized by the present writer at Princeton University in May 2002, and sponsored by the Princeton Center for the Study of Religion and the Carolyn L. Drucker Memorial Lecture Fund (Department of Near Eastern Studies).

[2] See also Brown, *Poverty and Leadership*, 95.

[3] BT Bava Batra 9a. For a detailed discussion of "Poverty in Clothing in Roman Palestine," see the chapter by that title (chapter 2) in Gildas Hamel, *Poverty and Charity in Roman Palestine, First Three Centuries CE* (Berkeley, Los Angeles, Oxford, 1990). He writes, for instance, "[p]overty in clothing meant lack of adequate protection against the elements. . . . It also meant lack of human dignity" (page 57).

[4] Ḍiyāʾ al-Dīn Muḥammad b. ʿAbd Allāh al-Waḥīd al-Maqdisī, *Kitāb faḍāʾil al-aʿmāl*, ed. Ghassān ʿĪsā Muḥammad Harmās (Beirut, 1987), 335–36.

to the pauper and his miseries."[5] Other traditions similarly link food and clothing in the rhetoric of beneficence.[6]

People in the Geniza echo the words of Jacob in the Bible. Vowing submission to God following his dream vision of the ladder to heaven, Jacob requests "bread to eat and clothing to wear" (Genesis 28:20).[7] We regularly encounter the refrain "naked and starving" in the Geniza letters, often associated with complaints about illness, the common affliction of the poorly fed and inadequately clothed. "Your slave is [in] adversity on account of nakedness and illness and lack of food for the upcoming holiday," writes a desperate man.[8] In Islamic society, the poor regularly received food distributions at religious celebrations, and early Christians were also bidden to feed the poor on holidays. Maimonides may have taken cognizance of the custom of his surroundings (which many Jews imitated) when he elaborated a talmudic halakha about feeding one's family on holidays: "While one eats and drinks himself, it is his duty to feed the stranger, the orphan, the widow, and other poor and unfortunate people."[9]

"Nakedness and hunger" form a trope in the Geniza letters. A pathetic widow with a degenerative skin disease grieves bitterly over her misfortune: "I am naked, thirsty, destitute, and have no means of sustenance. Nobody takes care of me, even if I were to die (she means, no one would pay for her burial expenses)."[10] Other examples abound.[11] Nakedness, of course, meant not true nudity, but lack of adequate clothing,[12] and so it should be taken in Arabic letters of Muslims from outside the Geniza as

[5] Mollat, *The Poor in the Middle Ages*, 64.

[6] Amy Singer (*Constructing Ottoman Beneficence: An Imperial Soup Kitchen in Jerusalem* [Albany, 2002], 86) quotes from a medieval Turkish epic (*Dede Korkut*): "When I saw the hungry I fed them / When I saw the naked I clothed them."

[7] "I ask no more than bread to eat and clothing to wear for me and my dependents," in the letter, TS 8 J 15.13, lines 14–15. "I ask from God what our Father Jacob, peace be upon him, asked, to give me bread to eat and clothing to wear": TS 12.258, lines 23–25, ed. Bareket, *Teʿuda* 16–17 (2001), 382. The letters are in Arabic but Jacob's words are quoted in the original Hebrew from the Bible.

[8] *TS 8 J 41.1, lines 9–10.

[9] On the obligation to give food to the poor on Muslim feasts, see al-Qaraḍāwī, *Mushkilat al-faqr*, 76–77; trans. *Economic Security in Islam*, 68–71. Christian case: "When you give a feast, invite the poor, the maimed, the lame, and the blind" (Luke 14:13). Maimonides: Mishneh Torah, Hilkhot yom ṭov 6:18. Twersky (whose translation of this passage I have used) notes this elaboration but explains it, not as a new Maimonidean idea, but rather as an example of Maimonides' eliciting "moral insights and imperatives . . . from formal law." This is not mutually exclusive with the historical explanation I am suggesting. See Twersky, *Introduction to the Code of Maimonides*, 423–24; also idem, "Charity in Halachic Sources" (Hebrew), *Saad: Bi-Monthly for Social Welfare* 15, no. 5 (1971), 13.

[10] *TS 13 J 13.16, lines 15–16.

[11] Others: TS 12.789, line 15; ENA 1822A.50, lines 11–14; CUL Or 1080 J 114, line 8, ed. Gil, *Ereṣ yisrael*, 3:489–91.

[12] *Med. Soc.*, 4:153.

well.[13] As we shall see, the level of "starvation" was sometimes exaggerated. However, we need not discount these reports as unrealistic. When food and clothing were absent or available in very short supply, those experiencing dearth felt as if they had none of these necessities and expressed their lack in extreme terms.

The Diet of the Poor

Some words are in order about the diet of the poor, concerning which we have more information in the Geniza than the Greek and Latin papyri provide for late antique Egypt.[14] We begin with bread, the centerpiece in the diet of all peoples, including the wealthy, in Western and Middle Eastern societies alike until relatively recent times.[15] Even in pagan Rome, before Christianity (drawing on its Jewish roots) infused a moral dimension into philanthropy, wheat was the main component of what the state provided to maintain sufficient supplies of food for the population. And while the motive for distribution of wheat, for which a (small) charge was actually levied in Rome between 123 and 58 BCE, was more the deservedness that came with citizenship than pity for the poor, the needy nonetheless benefited greatly.[16]

Not surprisingly—and one finds this in the English pauper letters from the period of the early Industrial Revolution, too[17]—bread is the victual that predominates in the minds of the poor in the Geniza. It occupies center stage both in the alms lists and in letters of the poor seeking private assistance. An indigent man whom we met before seeks to avoid the public bread dole with the plaint, "I am burdened with a family and am out of work, unable to get a hold of anything for expenses, even for bread to satisfy them."[18] Bread and wheat were, furthermore, the only food items

[13] Diem, *Arabische Privatbriefe des 9. bis 15. Jarhunderts*, 184.
[14] Bagnall, *Egypt in Late Antiquity*, 23.
[15] On the centrality of bread in the Middle Eastern diet, see *Encyclopedia of Islam*, 2nd ed., s.v. "Khubz," (Charles Pellat), 42, and in the Geniza, *Med. Soc.*, 4:244.
[16] Denis Van Berchem, *Les distributions de blé et d'argent a la plèbe romaine sous l'empire* (Geneva, 1939); Hands, *Charities and Social Aid in Greece and Rome*, esp. chapters 5–7; Geoffrey Rickman, *The Corn Supply of Ancient Rome* (Oxford, 1980), 168–72.
[17] See Sokoll, *Essex Pauper Letters*, index s.v. bread. One example: "wee had no more than about a pound of bread between us four till Six in the evening a friend called and gave us a shilling"; 460, no. 512. Meat is mentioned in only two out of a total of 758 letters, once as a food item the petitioner had not been able to purchase for six weeks (ibid., 409), and the other time, indicating that meat was served to a hospitalized indigent three times a week, but not enough daily bread for a meal and no sugar, butter, or cheese (ibid., 622).
[18] *TS 13 J 20.4, line 8–10. "I don't have even a morcel of bread at home": Bodl. MS Heb. d 66.135, lines 718.

distributed to the chronically poor in the communal dole. The same was true for the Christian poor of medieval Girona, Catalonia, in Christian Spain, where the daily ration in 1347–48 was a quarter loaf, weighing about 200 grams (in 1376–77, the quota was 250 grams; in other towns the ration could amount to 560, 531, or as much as around 750, depending on place and time).[19]

Only those who were relatively prosperous could do what was ideal: lay in wheat at harvest time to be ground into flour and then baked as bread when needed, thus avoiding the sometimes extreme fluctuations of bread and wheat prices over the course of the year, vacillations that could be triggered by famine, war, or hoarding. Goitein found that the average middle-class household, where both parents were present, needed twelve irdabbs of wheat per year, or one per month. The irdabb weighed seventy kilograms and, when not affected by inflationary fluctuations, usually cost one dinar (two dinars per irdabb seems to have been a common price in times of scarcity).[20] Recalling that the monthly budget of a middle-class family was two dinars, we can well understand why buying wheat wholesale at harvest time was only possible for the relatively well-off. When the refugee immigrant from Ceuta, Morocco, whom we met earlier, asked his would-be benefactor for "a little wheat," or another man requested some money to buy some wheat, these people were hoping to acquire a small hedge against hunger.[21]

It is difficult to know how many loaves of bread a person consumed each day. These loaves, of course, were the characteristic Middle Eastern flat, round loaves. Each loaf weighed one pound, about 450 grams (the common pound, *raṭl*, of Fustat), comparable to the present day American pound.[22] Bread fills the stomach, and the poor eat more of it because they can afford less of other foods. Adam Sabra estimates one to two one-pound loaves per day as the level of consumption of a poor person in Mamluk Cairo,[23] and a waqf document quoted by Muḥammad Amīn

[19] James W. Brodman, *Charity and Welfare: Hospitals and the Poor in Medieval Catalonia* (Philadelphia, 1998), 22–23.

[20] *Med. Soc.*, 4:235, 244. The high price of one dinar for two waybas (= 1/3 irdabb) and hunger in the family are reported in the preserved lines of a torn letter, TS 6 J 3.18, margin. Two dinars per irdabb: *Med. Soc.,* 4:239.

[21] Refugee from Ceuta: TS 12.3 , line 22. I believe that *qamḥ* here means wheat. Wheat is what they usually requested, not flour (as in *Med. Soc.*, 5:77), as in a letter requesting a wayba of wheat (or money to buy it), where the writer declares that "in my house there is no [. . .] wheat (*qamḥ*) nor flour (*qamḥ daqīq*) nor a loaf of bread (*raghīf khubz*) nor any other food," an expression for total absence of food. *TS Arabic Box 18 (1).33, lines 14–15, partly trans. in Hebrew, Goitein, *Sidrei ḥinnukh*, 107 ("wheat, flour, loaf of bread"). Money to buy wheat: ENA NS 21.8r, line 4. Something similar (but harder to read) in AIU VII E 91.

[22] *Med. Soc.*, 1:360.

[23] Sabra, *Poverty and Charity in Medieval Islam*, 107, cf. 87, 92.

stipulates as rations for the poor, in addition to other foods, "good quality wheat bread (*khubz burr ṭayyib*), each loaf weighing an Egyptian *raṭl*, and this shall be done every day . . . two loaves of the aforementioned bread every day to each poor person."[24] In the Ottoman soup kitchen of Jerusalem, one loaf (weighing about 270 grams) was served up to the poor at each meal—two meals a day—but recipients also got some soup and occasionally a little meat or some vegetables.[25] A famous rabbinical responsum from thirteenth-century Barcelona states that the poor (a whole family?) should be given one loaf of bread (we do not know its weight) each day.[26] Subsistence amounts of bread in other times and places are calculated even lower, for instance, during the first two or three centuries CE in Roman Palestine.[27] Children, of course, need less than adults. The daily ration of two raṭls of bread for each child studying at the charity school for orphans established alongside a hospital and a *madrasa* by the great Mamluk Sultan Qalā'ūn in 1284 was probably more than each child consumed in a day, and so the surplus probably benefited the family to whom he returned home each day.[28] Two pounds of bread were, incidentally, considered the daily minimum per person in sixteenth-century Geneva.[29]

Normally the poor had to resort to buying bread by the loaf, which, though it cost more in the long run than laying in supplies of wheat to grind into flour as needed, was the most they could afford. And since bread got stale after one day, people bought it on a daily basis. An impoverished teacher laments, for instance, that he did not have enough money to buy even one pound, that is, one loaf of bread.[30] If they could, the indigent might buy flour, prepare the dough at home, and take it to be

[24] Muḥammad M. Amīn, *Al-awqāf fi'l-ḥayāh al-ijtimā'iyya fī miṣr 648–923/1250–1517* (The Waqfs and Social Life in Egypt, 648–923 AH/1250–1517 AD, Historical-Documental Study) (Cairo, 1980), 136.

[25] Singer, *Constructing Ottoman Beneficence*, 61, 75, 113.

[26] From R. Solomon b. Adret (1235–1310), cited among other places in Yom Tov Assis, "Rich and Poor in Jewish Society in Mediterranean Spain" (Hebrew) *Pe'amim* 47 (1991), 131.

[27] For the poor wayfarer, the Mishna (Pe'a 8:7) sets a minimum daily gift of one loaf of bread made from a certain amount of wheat at a certain price, which constitutes a day's ration for two meals (Daniel Sperber, *Roman Palestine 200–400: Money and Prices* [Ramat Gan, 1974], 114 and 156, referring also to Mishna 'Eruvin 8:2). Hamel calculates the weight of this loaf between five hundred and six hundred grams, depending on the number of loaves a baker baked from the stipulated quantity of wheat—but "just enough to survive"; Hamel, *Poverty and Charity in Roman Palestine*, 40.

[28] Norman Stillman, "Charity and Social Service in Medieval Islam" *Societas* 5, no. 2 (1975), 110.

[29] Geremek, *Poverty: A History*, 99.

[30] He needed to buy a container of dried fruit and two ounces of sugar for his sick child. TS 13 J 21.3, cf. *Med. Soc.*, 2:188.

baked in a neighborhood oven, overall shaving a bit off the unit cost of loaves purchased in the market. As we shall discuss further in chapter 8, the absolutely destitute received a small weekly ration of four loaves of bread per adult from public charity, parceled out in two distributions, on Tuesday and Friday, and also some wheat on an irregular basis, as well as periodic cash payments.[31]

What about the nutritional value of this weekly ration of bread? One pound (454 grams) of the whole-wheat, flat Middle Eastern bread ("pita") that we find in American grocery stores today has a caloric value ranging from 1,070 to 1,200.[32] We may assume that medieval people needed no less energy than the daily caloric intake of about 2,900 calories required by the average American engaged in moderate activity today,[33] a value not very different from the 3,000–4,000 calories per day calculated as the dietetic value of the ration of wheat of ancient Rome's monthly corn dole.[34] Thus, the individual adult ration of four loaves of bread per week from the Jewish communal dole would not have been sufficient to meet the basic nutritional needs of the poor unless supplemented by wheat or cash to buy other victuals.[35]

If we take the 2 kilograms (4.4 pounds) of bread suggested by Eliyahu Ashtor as the amount needed on a daily basis by a medieval Near Eastern family of five, we can say something also about the relationship between diet and income.[36] Wages of the lowest-paid workers in the Geniza community, which were rather stable in the eleventh and twelfth centuries, ranged from 1 1/2 to 3 dirhems per day.[37] On average—that is, during normal periods—one silver dirhem (normally, 36–40 to the gold dinar)

[31] Bread ration: *Med. Soc.*, 2:128.

[32] *Bowes and Church's Food Values of Portions Commonly Used*, Seventeenth edition, revised by Jean A. T. Pennington (Philadelphia, 1998), 155 (the value of approximately 1,070 is extrapolated from the figure of 200 calories for one large whole-wheat pita weighing 85 grams; the value of approximately 1,200 is based on another type of pita, 6 1/2 inches in diameter, weighing 64 grams). In a supermarket, I found mini-pitas, "Toufoyan" brand, with a computed value of 1,400 calories for 454 grams. These were made with vegetable oil, not the "low-fat" variety, which contains either no oil at all or soybean oil.

[33] Ibid., xxiii, for adult males 19–50 years old of average height and weight.

[34] Rickman, *The Corn Supply of Ancient Rome*, 173.

[35] Cf. *Med. Soc.*, 2:129. For comparison sake, a single person's weekly ration from the Hospital-general La Charité in Aix-en-Provence at the turn of the eighteenth century was seven loaves of bread, and families might receive twelve or fourteen loaves. Fairchilds, *Poverty and Charity in Aix-en-Provence, 1640–1789*, 94–95. A sick, distinguished foreigner visiting Fustat in the middle of the twelfth century was provided with bread costing 3/4 dirhem per day, probably at least three loaves, but he was sick (he also received a chicken every day, two on the Sabbath). TS Box J 1.26, *Med. Soc.*, 2:458, App. B 67 (1140–59); cf. ibid, 4:232–33.

[36] Eliyahu Ashtor, "The Diet of Salaried Classes in the Medieval Near East," *Journal of Asian History* 4 (1970), 9.

[37] *Med. Soc.*, 1:99.

bought somewhat more than five loaves, a datum derived from ten communal alms lists from around 1107.[38] At five loaves of bread per dirhem, a family from the lowest wage-earning class consisting of two adults and three children living at home could expend between 30 and 60 percent of the breadwinner's daily salary on bread alone if it did not have help.[39] This may be compared with figures for prices in fourteenth-century Florence, where, in four periods from 1289 to 1360, a family of four headed by an unskilled laborer in the construction industry spent, respectively, 32, 42, 41, or 35.4 percent of its monthly budget on wheat alone, the only foodstuff for which prices are available (presumably bread would have cost more).[40]

For people in great distress, one loaf of bread might have to be stretched to last two meals. There is probably no hyperbole, therefore, in the words of a poor newcomer to Fustat who reports that he had had only one half loaf for supper and the other half for the midday meal and was still hungry. He asks plaintively for another supper and for a piece of meat and other edibles, should the addressee happen to hold a family celebration.[41]

What else could the poor afford to accompany the centerpiece of their meals, the bread? The poor of Egypt rarely ate meat (so a tenth-century observer says). When they could manage it, they bought fish instead.[42] In

[38] *Med. Soc.*, 4:237. The lists indicate that one hundred loaves of bread cost a half a dinar. More could be had wholesale. On the other hand, Goitein observes, the lists betray a concern "that no one should get more than he deserved," suggesting that it was a time of stress. Thus, the "average number of loaves to be had for a dirhem was probably more than five loaves." A struggling man laments about a high price of 1 1/8 dirhems for four pounds (loaves) of bread in Alexandria (fall 1219, at a time of hardship during the Frankish assault on the coast) (TS 16.286, lines 13–15, cf. *Med. Soc.*, 1:98–99). On the other hand, payrolls written by the clerk Solomon b. Elijah between 1210 and 1225 indicate that the standard price of bread in that period was ten loaves for one dirhem, or half the price of bread around 1107 (unless it was the more valuable dirhem buying ten loaves); *Med. Soc.*, 2:450, App. 41. Writing about standards of living during the Mamluk period, Adam Sabra (*Poverty and Charity in Medieval Islam*, 120) uses William Popper's figure of 1.42 times the cost of wheat to calculate the price of bread and reaches the conclusion that one dirhem bought about thirteen pounds of bread (= thirteen loaves in the Geniza period), but the standard dirhem was the more valuable one, 20–35 to the dinar, in the fourteenth century. See Popper, *Egypt and Syria under the Circassian Sultans* AD *1382–1468: Systematic Notes to Ibn Taghrī Birdī's Chronicles of Egypt* (Berkeley and Los Angeles, 1955–57), 2:104–105.

[39] Ashtor confirms this: "[B]efore the Black death the minimum wage earners in the Near East had to allot almost half of their income for the purchase of bread. The same was the case in other parts of the medieval world." Ashtor, "Diet," 9.

[40] John Henderson, "Women, Children and Poverty in Florence at the Time of the Black Death," in *Poor Women and Children in the European Past*, eds. John Henderson and Richard Wall (London and New York, 1994), 164, table 7.1.

[41] *TS 8 J 16.7, lines 15–19, verso, lines 1–2, 13–15; cf. *Med. Soc.*, 5:87 and 530.

[42] Ashtor, "Diet," 12.

Mamluk times, Muslim indigents probably enjoyed meat only on feast days like ʿId al-Aḍḥa, when some sultans distributed meat widely.[43] They ate, rather, lots of fruits and vegetables, usually cooked in oil, and also some chicken, but gained most of their protein from cheese, fish, and beans. For comparison, in towns of medieval Catalonia, small quantities of wine, meat, fish, cheese as a staple, various vegetables, and small quantities of fruit were the foods, apart from bread, that were purchased by the poor or parceled out to them as charity.[44]

The data for Mamluk Egypt collected by Adam Sabra compare favorably with the Jewish evidence from the Geniza. In the Jewish community, meat appeared but rarely on the tables of the common people.[45] A teacher reports in a letter of appeal that he had had meat only eight times from one Shavuot to the next.[46] Accompanying their bread the Jewish poor ate mostly vegetables and dairy products and perhaps some fish.[47] Dates, the main indigenous fruit of Egypt, provided an important source of calories, as did honey, and these were probably taken in larger quantities by the poor than sugar, which was costly, presumably because it needed to be processed.[48] Cheese, about which the Geniza contains much information because of kashrut issues, provided a less expensive alternative to meat as a source of protein.[49]

The Cry of Hunger

In the light of all that has been said so far, one can safely take at face value cries of hunger that we hear in letters of appeal. The complaint, addressed in Hebrew, presumably by a European immigrant, to the local parnas that "the two loaves you give me are not enough for a day and a night (that is, one full day) and I am not able to buy (more)," rings true.[50] So does the frequent refrain about large, hungry families that we read in the petitions of the needy, such as the unfortunate man we met before, who writes for help because he is "unable to get a hold of anything for

[43] Sabra, *Poverty and Charity in Medieval Egypt*, 114–15, 53.
[44] Brodman, *Charity and Welfare*, 23–26.
[45] *Med. Soc.*, 4:249.
[46] BM Or 5542. 14, *Med. Soc.*, 2:465, App. B 98 (fol. 23 there is incorrect).
[47] *Med. Soc.*, 4:245.
[48] *Med. Soc.*, 4:247–48. Ashtor, "Diet," 5–6. Bagnall believes, for his period, that dates served more commonly as sweetener for the poor than honey; *Egypt in Late Antiquity*, 31–32.
[49] *Med. Soc.*, 4:251. In addition to bread, vegetables, cheese, eggs, grains, and rice formed the mainstays of the diet of the Jewish poor in the Ottoman Empire in the seventeenth and eighteenth centuries, according to Ben-Naeh, "Poverty, Paupers, and Poor Relief in Ottoman Jewish Society," 200.
[50] TS Misc. Box 28.40, lines 13-15, *Med. Soc.* 2:464, App. B 94.

expenses, even for bread" for his large family.[51] The motif of the large, hungry family crops up as well in pauper letters from England and Germany of the period of the Industrial Revolution and seems to be a structural element in the rhetoric of poverty across time and cultures. Despite its recurrent appearance, it is believable.[52]

We hear the voice of the poor complaining about hunger both after it has set in and before, when it is anticipated with great anxiety. With multiple complaints about meager earnings, about money he owes, about a pledge drive (pesiqa) on his behalf that has not been collected and paid (a common gripe), and about money owed for clothing and rent (the landlord had threatened to evict him), a luckless man reports that he is waiting hopefully to hear from his cousin, whose pledge was half a nuqra dirhem (a pure silver dirhem, worth three times the common silver coin, namely, 13 1/3 to the dinar). He needed the money "in order to buy bread for the Sabbath. It has been some time since I bought in this manner."[53] One nuqra dirhem, of course, could buy many more than five loaves of bread in normal times. Perhaps we are dealing here with a period of inflated bread prices, or a large family, or both. Possibly the writer meant to use the money to buy the extra foods, including meat, that a family strove to put on its table on the Sabbath. The word "bread" could stand in this instance for "food" (for the Sabbath) in general.

We hear more specifically about hunger and expectations for Sabbath nourishment in a complaint about a local parnas who allegedly gave the writer only three dirhems (the standard dirhem, doubtless), so that he had had only onions with bread in his house the previous Sabbath. "Because I am so ashamed," he goes on, "I cannot say anything to him. I am not accustomed to these things. The Omnipresent, blessed be He, knows that I am very ill and crave meat and wine. I have nothing with which to buy." He goes on to say that he may have to sell his tallit (prayer shawl) to get some money to live on—a desperate step for a Jewish man. We may justly suppose that the warning was intended to gain both sympathy and immediate help.[54]

Suppliants often specify the amount of time they have gone without food. "Three days they (my orphaned children) have not had bread except for [. . .] I am a foreign woman in this city, unable to buy or sell, beyond the three waybas which I bought for the boys and fed them." Three waybas equaled half an irdabb and could yield many loaves of bread (a family's needs for half a month). But now her boys (and she, obviously) were starving. Goitein comments: "Three days of hunger thus seem to

[51] *TS 13 J 20.4, lines 7–11.
[52] Sokoll, *Essex Pauper Letters*, index of subjects s.v. "family, large."
[53] TS 6 J 10.13v, margin and recto (= the second side), lines 1–2.
[54] TS 8.24, ed. Bareket, *Teʿuda* 16–17 (2001), 379–81.

have been regarded as the maximum bearable, even by women and children, who, judging from the allowances granted to them, were obviously believed to need less food than men."[55] The three-day yardstick has age-old and cross-cultural confirmation from elsewhere. A story in the Palestinian Talmud mentions an old man who begs for alms because he has not tasted anything for "for three days."[56] A ninth-century letter of appeal (on papyrus) from a Muslim suffering from hunger states, similarly: "I am writing to you when we have gone three days without eating bread."[57] Students of Islamic culture will recall that three days is the period of complimentary hospitality due to travelers.

Fear of death from starvation is commonplace in the Geniza. Abuʾl-ʿIzz b. Abuʾl-Munā had gone into hiding to evade the poll tax, which he could not afford at the time to pay. "I fought Fate until it prevailed. Because of this, my wife and children are dying (literally, 'have died,' *mātū*) of starvation."[58] We are reminded of the debtor who was "hiding in the house like the women" to avoid a creditor and who wrote, "my little ones are dying of hunger because I have been hiding out."[59] A teacher and copyist in a small town where the judge refused to let him teach laments: "I and my children are dying ('have died,' *qad mitnā*) of starvation in the house."[60] Elsewhere we read a woman's testimony of suffering. She "is perishing from starvation" (*halakat biʾl-jūʿ*).[61] Or hear the voice of a man requesting "assistance" for the purchase of a robe, complaining that he "is being killed by the cold and by hunger" (*qad qatalahu al-bard waʾl-jūʿ*).[62]

Grammatically, the Arabic in these letters conveys past action, *qad mātū*, "have died." This is, of course, purposeful overstatement, but it conformed with the expectations of society and so would not have been considered deceitful by would-be benefactors. Grinding hunger was real, and people, especially children, died of it regularly. That is why the Talmud rules that one should accept a claim of hunger immediately, without

[55] ENA NS 22.7r; cf. *Med. Soc.*, 5:88–89.
[56] PT Shabbat 6:9, 8d.
[57] Rāġib, *Marchands des étoffes*, 44, line 3. Later in the same letter (line 6) the writer laments that there is not a grain of wheat left in the house.
[58] Dying ("have died") of starvation: TS 13 J 36.2, lines 11–13, cf. *Med. Soc.*, 2:390. Goitein thinks the writer meant it literally, "have died." But cf. in an Arabic petition to a Fatimid ruler found in the Geniza, *wa-halaka huwa wa-ʿāʾilathu jūʿan*, Khan, *Arabic Legal and Administrative Documents*, 359 (no. 86, line 4), which Khan rightly translates, "He and his family are dying of hunger."
[59] *TS 8 J 17.27, lines 4–8.
[60] TS 8 J 23.9, lines 5–6.
[61] CUL Or 1080 J 40, line 17, ed. Gil, *Ereṣ yisrael*, 3:508–509.
[62] *TS 8 J 21.20, lines 7–8, cf. *Med. Soc.* 5:102, where Goitein translates, appropriately, "the cold and hunger kill me." Similarly in TS 13 J 21.3, line 20: *talifnā min al-faqr waʾl-bard*, "we are perishing because of poverty and the cold."

examining the suppliant for possible fraud; the danger of starvation leading to death was grave (unlike the need for clothing, which could wait a bit). Maimonides, who from his perch as head of the Jews observed terrible hunger in his community in Egypt, codified this opinion in his Code.[63]

Lack of Adequate Clothing

After food, clothing was the next minimal need of the poor. Given the portion of the budget of minimum wage earners that went for food, we easily understand why they were often poorly clothed and why, apart from bread, wheat, and cash, clothing appears on the alms lists from the Geniza, as it does in Muslim waqf deeds from medieval Egypt.[64] Inadequate nourishment and clothing come together in a pathetic plea to a head of the Jews (nagid) to assist a poor orphan girl about to be married. "They have nothing for an evening meal," the writer asserts, seeking the nagid's sympathy. The young girl must have had very little to wear, for even a mere polo tunic (*jūkāniyya*) and a *malḥafa*, doubling as a garment for going out and a cover at night, would be appreciated, the writer says.[65]

Protestations about lack of presentable clothing at holiday time are routine. A poor woman writes to the head of the Jews (the nagid), citing her "nakedness especially" and goes on: "I have no outergarment to conceal me, nor anything to cover my head." For "conceal" she uses the Arabic word *yasturunī*, here meant in the physical sense, but also loaded with the metaphorical overtone of *mastūr*, that is, "concealed from the embarrassment of poverty." She entreats the nagid to appoint someone to take up a collection so she can buy a new veil (*miqnaʿa*) for the holiday.[66] Bundling together hunger and insufficient cover, a son from a "good family" (of India traders) writes to the judge Ḥananel b. Samuel, the father-in-law of Abraham the son of Moses Maimonides, complaining about an inheritance he has been unable to collect. Cast into poverty, his large family (nine souls) is hungry, while he, in particular, needs help to buy a robe so he can attend synagogue. In the past (in keeping with his "good family" status, we are meant to understand) he was accustomed to wearing luxurious clothing.[67] Another

[63] Maimonides, Mishneh Torah, Hilkhot mattenot ʿaniyyim 7:6 (the exception being that if the person was known he would receive clothing without examination). For the talmudic discussion see chapter 2 at note 93.
[64] Amīn, *Al-awqāf*, 134–35, 146–47.
[65] TS 10 J 15.27, lines 5–7, 11–12, *Med. Soc.*, 2:500, App. C 91, 3:305, 5:88.
[66] *TS 13 J 18.3, cf. *Med. Soc.*, 2:36–37.
[67] *TS 10 J 17.4, trans. into Hebrew, Goitein, *Tarbiz* 50 (1980–81), 377–78.

suppliant, a woman who had lost five sons (the last was killed by Seljuk Turks), appeals to the community for appropriate clothing for the holidays.[68]

Two Stories about "Nakedness and Starvation" from outside the Geniza, One Christian and One Jewish

The real-life experience of "nakedness and starvation" is echoed in two contemporary stories from outside the Geniza. One story is Egyptian-Christian and the other is Jewish. Both come from the eleventh century.

Earlier we had occasion to introduce Buqayra, the eleemosynary deacon of the Egyptian Coptic Church at the time of the al-Ḥākim persecutions at the beginning of the eleventh century. We return to his story where we left off, in the midst of the anecdote about the man of high rank and great wealth who suddenly became poor. Ashamed, the man refused to show his face in public, let alone beg. Instead, he sold whatever remained in his house so that he had *nothing left but the clothing upon his back*.

The narrative continues. Buqayra learns about this and brings ten sacks of wheat to the man's house—reminiscent of the acts of the mendicant friars of thirteenth-century Europe, who delivered alms to the shamefaced poor in their homes. Returning home and finding the boon, the formerly rich man says:

> As the Lord liveth, I will sit in my dwelling-place till God shall take away my soul, but I will not take alms (*ṣadaqa*) from anyone, nor will I be disgraced. His wife convinced him, however, to eat and then return the wheat in the morning. At night, Christ appeared to him in a dream and asked why he was sad. The man retorted, asking why he had become suddenly impoverished and dependent on alms. Christ convinced him that Buqayra was his own minister, so in the morning the previously rich and now impoverished man was happy and kept the wheat.[69]

The Jewish story similarly combines "nakedness and starvation" with a miraculous deliverance from poverty. It is one of the tales recounted in the book *An Elegant Composition concerning Relief after Adversity*, by the North African scholar Rabbi Nissim b. Jacob ibn Shahin (d. 1062). Composed in Arabic, the book was subsequently translated into Hebrew and it circulated widely in both languages during the Middle Ages. The

[68] TS NS Box 31.8, *Med. Soc.*, 2:501, App. C 95.
[69] Ibn al-Muqaffaʿ, *Taʾrīkh baṭāriqat al-kanīsa al-miṣriyya*, vol. 2, part 2 , 130–31 (Arabic), 197–99 (English). Emphasis mine.

treatise is composed of edifying tales stressing Jewish morals and values, and it parallels in Islamic Arabic literature the *Faraj baʿd al-shidda* ("Relief after Adversity") genre. Most of the sagas are taken from the Talmuds or from midrashic compilations. Among the few for which a Jewish source has not been found is the following.

> The Sages tell the story of a poor man who had several children and a wife. Life was very straitened for them, and they did not have enough to sustain them even for one day. His wife said to him, "Cousin, arise and go to the market place—perchance you will find there something to sustain us, else we shall perish of hunger." He replied, "Sister, where shall I turn, and to what place shall I go? I have no relative to whom I might turn nor do I have a friend. I have no one but God Most High." Whereat she desisted from him, but as the children's hunger grew so fierce that they wept and screamed, she spoke to him again, saying, "So-and-so, go out—perhaps something will come your way, or else you will die wheresoever you go, which is better than that we should expire one in front of the other." He replied, "But how can I go out naked?" Now she had a worn-out gown, so she clothed him with it, and he went forth, but when he stepped outside, he hesitated in bewilderment, not knowing which way to turn, right or left, and he wept profusely. Then he raised his eyes to heaven and said, "O Lord of the worlds, Thou knowest that I have no one to whom to turn, nor one to whom I might complain of my poverty and destitution. Here I have come forth, yet I know not whither to turn. I have neither brother, nor relative, nor friend, nor can I think of any stratagem, yet my children are small, their hunger is fierce, and they will accept no excuse from me. Thou hast created us—turn therefore to us in Thy mercy, or else take away my soul quickly, so that I may find rest."[70]

Relief from adversity occurs in this story as a result of a miraculous encounter with Elijah the prophet (similar to the Egyptian Christian's miraculous encounter with Christ). Elijah asks the man to sell him as a slave and use the proceeds, which he does, to purchase abundant food for his family. Later, having become wealthy, the man meets Elijah once again, who had in the meantime gained his freedom from slavery by performing a miracle on behalf of his owner (he builds him a castle in one

[70] Nissim ben Jacob ibn Shahin, *An Elegant Composition concerning Relief after Adversity*, trans. William M. Brinner (New Haven and London, 1977), Introduction. The tale appears on pages 99–102. The story, along with another Elijah legend in the book, is discussed by Julian Obermann, the editior of the Arabic original of the treatise, in "Two Elijah Stories in Judeo-Arabic Transmission," *Hebrew Union College Annual* 23, part 1 (1950–51), 387–404. The story was later included in the eighteenth-century anthology of texts about charity, Elijah ha-Kohen b. Solomon Abraham of Smyrna's *Meʿil ṣedaqa*; cf. Abraham Cronbach, "The Meʿil Ẕedaḳah," *Hebrew Union College Annual* 11 (1936), 538.

day). Elijah's wonder-working—the main point of the fable—is fanciful, but the other, incidental information is realistic enough. The motif of a poor, large family, with children starving, and of a husband without clothing who is sent out by his wife to find sustenance before his children and she die, echoes real life—the concerns of the poor for food and clothing as portrayed copiously and in unmediated fashion in contemporaneous documents from the Cairo Geniza.

The Sick and Disabled

Sickness is frequently the lot of those whose diets are insufficient and whose clothing is meager, and often unclean.[71] We have already seen allusions to illness in the letters of the poorly fed and poorly clothed.[72] Economically speaking, the most vexatious type of illness was a disability that rendered a person permanently or "structurally" indigent so that he or she could not work and earn.

Men and women of the age understood the connection between hunger and illness. When the indigent man who complained about being short-changed by the local parnas wrote, "I am very ill and crave meat and wine," he evidently felt that a good meal would improve his health.[73] Similarly, a man in distress, poor, old, and sick, needed two chickens (praised universally by Muslim physicians in Arabic medical treatises)[74] and bread. A letter recommending him to a cantor asks him to arrange a collection in the synagogue on Thursday, one of the two days (the other is Monday) the Torah is removed from the ark, so that the congregation would be larger than on other weekdays.[75] When a distinguished foreigner arrived in the capital suffering from an illness, the community sprang into action with food and clothing. According to the account of the expenses, one chicken was provided for him every day through charitable gifts (on Friday two chickens, one for the Sabbath). Each chicken cost two and a half dirhems. Daily he also consumed bread worth 3/4 dirhems (perhaps four loaves) and a beverage. Other items, listed for one day each only, include cream, honey, rosewater, lentils, saffron, and Nile

[71] Taylor devotes a section to "illness and disability" in *Poverty, Migration, and Settlement in the Industrial Revolution*, 102–12. See also Margaret Pelling, "Illness among the Poor in an Early Modern English Town: The Norwich Census of 1570," *Continuity and Change* 3 (1988), 273–90.

[72] The adverse affect of malnutrition and inadequate clothing on health is discussed in connection with Christian captives by Rodriguez, "Prisoners of Faith," 74–82.

[73] TS 8.24. See above at note 54.

[74] Ashtor, "Diet," 4.

[75] *TS 6 J 8.4, *Med. Soc.*, 2:463, App. B 91 (1150–90).

water. With such a diet, far more sumptuous and more nutritious than any poor man could afford on his own, his benefactors hoped to restore his health. Laundry for his clothing was likewise provided (it cost 1 1/4 dirhems for twelve days) and he also received a new cloak.[76]

References to serious illness and disability pepper the letters of appeal. An unfortunate man, unable to work for four months and five days on account of illness, requests assistance from the head of the Jews, the nagid Samuel (b. Ḥananya).[77] The ailing cantor in a small town whom we met before seeking assistance from the head of the Jews in Fustat laments, "I am chronically ill; I am unable to get up from [my pl]ac[e] even one span of a hand except while screaming with pain. God is my witness, I can pray only while seated. I am in a difficult situation," he adds, "because of illness and dearth. I swear by Moses and Aaron, I have no money beyond what I earn at the synagogue on Mondays. My illness demands many dirhems."[78] We have seen how expensive it could be to feed and clothe just one sick person.

The pathetic woman with the degenerative skin disease whom we met earlier described her malady in unusually graphic terms. "Because my sins and iniquities multiplied I became afflicted on my nose, then the malady spread and my face became wasted and eaten away. The disease gets worse and worse and I cannot work."[79] Eye disease was endemic, as in Egypt and other lands with great poverty today. Many people suffering from ophthalmia (trachoma)[80] were enrolled in the registers of the public dole.[81] Others wrote letters seeking private charity. "We are two weak old men," we hear in a sad case, "one of whom, my lord the dayyan, has contracted a severe case of ophthalmia. His eye has turned white and he walks with a stick. The other, I, Ezekiel, for nearly two years have not gone outside the gate of my house, nor entered a synagogue, not on the holidays and not on the Sabbath, on account of my weakness and great dizziness."[82] Ophthalmia caused a silversmith to lose half his vision and forced him to give up his profession (jewelry making requires full ocular

[76] TS Box J 1.26, *Med. Soc.*, 2:458, App. B 67 (1100–50); 2:100; 4:232–33.

[77] TS NS J 139. The by-name, Abū'l Faḍl the Rayyis, is written upside down on verso, ostensibly the addressee of the letter, but Samuel's by-name was Abū Manṣūr.

[78] TS 8 J 15.3, lines 9–15. cf. *Med. Soc.*, 2:109; 5:108. Goitein's translation.

[79] *TS 13 J 13.16, lines 13–16.

[80] Arabic: *ramad*.

[81] One example: TS AS 148.14 (b)v, left-hand page, line 3, a Rūmī with ophthalmia on a list of beneficiaries. A needy traveler is described as "suffer[ing] from poor health and eyesight." On eye disease in Egypt during the Geniza period, see Haskell D. Isaacs, *Medical and Para-Medical Manuscripts in the Cambridge Genizah Collections* (Cambdridge, 1994), ix.

[82] TS 13 J 28.10, lines 4–7. Also in ENA 1822A.50, line 14: *li-ʿabdatihi ramada marfūdat al-ʿayn arbaʿa yaum*, "your maidservant's eyes are sore with ophthalmia and have been bandaged for the last four days"; cf. *Med. Soc.*, 3:304 (correct "forty" to "four).

capacity). He resorted to teaching children to read the Bible for four dirhems a week, a lower wage than the lowest-paid worker. "The Holy One, may He be blessed, knows that one cannot make more with this."[83] This was the beginning of his poverty.

Those who fell ill but expected to recover, like the temporarily impoverished working poor in general, come to our attention mainly in private letters like the one just quoted.[84] But many of the seriously ill and disabled had no hope of working. Chronically indigent, neither their physical suffering nor their financial distress could be cured by charity. They collected alms from the community indefinitely. Often they can be pinpointed in alms lists because scribes were accustomed to identifying them by their infirmity.

Thus, dozens of people are singled out as "blind" (*ḍarīr, ḍarīra*). Often they are clustered together on a list, indicating that they were expected to help guide one another to the distribution point, or to be guided there as a group by a seeing person.[85] Deaf people (*aṭrūsh*) also show up with frequency, as do their children and spouses.[86]

Paralysis and other limb or muscular disorders also bred indigence. Encountered previously seeking help to pay his poll tax is the man who became paralyzed suddenly in one hand and could not work.[87] Affliction in one hand prevented a mother from earning and supporting her children.[88] The many *maflūj* and *maflūja*, "semiparalyzed," on alms lists indicate how common a malady paralysis was, and naturally a reason for turning to public assistance.[89] The same was true of the *aqṭaʿ*, amputee. One of many such people on the alms lists, "the amputee David the porter" suffered from this misfortune, which took away his means of living. We met his wife, Umm al-maflūj, "mother of the semiparalyzed" (their child was also afflicted), collecting their rations.[90] Moses "the lame"

[83] TS 12.3, lines 18–19, trans. Goitein, *Med. Soc.*, 5:77. The poet Judah ha-Levi seeks help on behalf of a man suffering from poor health and poor eyesight. TS 10 J 15.1, line 9, ed. Goitein, *Tarbiz* 25 (1955–56), 406.

[84] Another is the immigrant from Persia who had intended to take a position with the community and make a living that way when he fell sick with smallpox (*judarī*). *CUL Or 1080 J 31, lines 4–10.

[85] Three blind recipients listed one after the other: *TS Box K 15.102r, left-hand page, lines 19–20, *Med. Soc.*, 2:446, App. B 31 (1100–40). Given the poverty of the blind, it is not surprising to encounter a guide of the blind (*sāʾiq al-ḍarīr*) collecting alms for himself. *TS Box K 15.50v, left-hand page, line 19, *Med. Soc.*, 2:443, App. B 22 (ca. 1107).

[86] Worthy of note is "the deaf man from Andalusia and his traveling companion" (*rafīq*): TS Box K 15.14r, right-hand page, line 3, *Med. Soc.*, 2:440, App. 4 (1040–60).

[87] TS NS Box 321.11, see chapter 4 at note 31.

[88] CUL Or 1080 J 44, lines 9–10 , ed. Gil, *Ereṣ yisrael*, 3:430–31.

[89] E.g., Fuḍāʾil al-maflūj, a recipient of clothing, TS Arabic Box 52.247v, right-hand page, line 3.

[90] TS Box K 15.85r, left-hand page, line 2, *Med. Soc.*, 2:448, App. B 34 (1100–40).

(*al-aʿraj*), chronically infirm, receives a half wayba of wheat along with other European newcomers.[91] Another afflicted type on the lists is the *murtaʿash*, someone with "the trembles," presumably a form of incapacitating palsy.[92] When the specific illness or infirmity that brought someone to the public dole was unknown, the beneficiary would simply be listed as "the afflicted," *al-mubtalā* or "the stricken," *al-muṣāb*.[93]

As in other societies, old age is associated with chronic poverty in the Jewish community.[94] The word *ʿajuz*, which can mean either "old man" or "old woman," is only one kind of evidence.[95] Large numbers of elderly people lie behind entries of registrants who collected alms on behalf of their parents (even grandparents) or in-laws.

Illness looms large in a cache of short notes from the nagid and head of the Jews Abraham Maimonides, instructing an administrator of two pious foundations to transfer specific sums to the bearers. In separate payment orders, "Umm Nissim, the sick woman," is to be paid five dirhems. "The cantor of the majlis, who is sick" gets five, as does the ailing Nazirite Saadya. Seven dirhems are to be withdrawn and paid to Namir "on account of his illness," and the same note requests three dirhems for "the sick Nazir," doubtless the abovementioned Saadya. He appears again as a recipient of two dirhems in another instruction from the nagid. Five dirhems are allocated to a blind cantor for travel expenses (tasfīr).[96]

The data summarized and analyzed above on the basis of the very uneven preservation of documents on the poor in the Geniza are consistent with what Linda Martz found in a partial record of an alms distribution for Christmas 1573 in Toledo, Spain: "Those who received assistance in San Juan Baptista (a parish) were the resident poor who suffered from physical handicaps, sickness, old age, too many children and a small salary, or, in the case of the women, children and no husband."[97] This is yet another indicator of the cross-cultural significance of the Geniza for the history of poverty.

[91] *TS Box K 15.113, line 22, *Med. Soc.*, 2:444, App. B 26 (1100–40).

[92] A Furayj the murtaʿash appears several times on the lists dating from around 1107, e.g., *TS Box J 1.4r, left-hand page, line 17, *Med. Soc.*, 2:443, App. B 23.

[93] Five on the same list: *TS Box K 15.102, *Med. Soc.*, 2:446, App. B 31 (1100–40). Fuhyad the stricken (recto, right-hand page, line 13); the afflicted person (line 14); another afflicted person (line 14); Joseph the stricken man (line 20); a stricken man from Alexandria (verso, right-hand page, line 4).

[94] Constantelos, *Byzantine Philanthropy and Social Welfare*, 259–60; Mundy, "Charity and Social Work in Toulouse, 1100–1250," 274; Sokoll, "Old Age in Poverty," 127–54.

[95] E.g., "an old woman from Jerusalem" (*ʿajuz maqdisiyya*): *TS Box K 15.102r, left-hand page, line 14, *Med. Soc.*, 2:446, App. B 31 (1100–40).

[96] TS Box K 25.240, nos. 33–37, 17.

[97] Martz, *Poverty and Welfare in Habsburg Spain*, 205.

. . .

The plight of the poor—foreigners, captives, refugees, proselytes, debtors, women, the naked, the sick (many of whom fall into more than one category)—presents altogether a picture of pathos. Particularly their letters speak loudly with their voices, allowing us more than just a flat, statistical impression of their suffering. We must ask, however, how they saw themselves. Did they see themselves as beggars? Or is some other identity to be sought in their words of supplication? We turn our attention now to that important question.

Chapter Seven

BEGGARS OR PETITIONERS?

BEGGARS OR PETITIONERS?[1] What can we say about the self-image of the poor? In other words, what social meaning—apart from the realities of poverty and the quest for charity—can we find in their letters of appeal? In order to answer this important question, we focus here on one very important type of letter of appeal, addressing the issue of form and its relation to function.

Formally speaking we can distinguish in the most general terms between two types of letters of appeal: letters of recommendation and letters written by the poor themselves, whether in their own hand or in the hand of a scribe. Previous scholars have by and large ignored this distinction and lumped them all into a category that they called "beggars' letters."[2] Doubtless they were reminded of the "Schnorrerbriefe" that became common in central and eastern Europe after the middle of the seventeenth century, when pogroms in Poland caused an increase in Jewish mendicancy and vagabondage.[3] Many of the letters of recommendation in the Geniza, some of them originating in distant places, include signatures of witnesses at the end attesting to the need of the recipient.[4] These most closely approximate the official "begging letters" from European Jewish communi-

[1] The chapter is based in part on my article "Four Judaeo-Arabic Petitions of the Poor from the Cairo Geniza," *Jerusalem Studies in Arabic and Islam* 24 (2000), 446–71, where three specimens in addition to the one translated and discussed below are to be found. Some revisions to that article are found here.

[2] For example, Alexander Scheiber, "Beggars' Letters from the Geniza" (Hebrew), in Scheiber, *Geniza Studies*, Hebrew section, 75–84. B. Halper, *Descriptive Catalogue of Genizah Fragments in Philadelphia* (Philadelphia, 1924), 202 (description of fragment no. 410 as "[a] begging letter"); Mann, *Jews* 1:166 ("stereotyped formulae of begging-letters"), 2:197, "formula of a begging letter"; Eliyahu Ashtor, "The Number of the Jews in Mediaeval Egypt," *Journal of Jewish Studies* 18 (1967), 36, "There are also begging letters written by Jews of Sunbāṭ"; Goitein: *Med. Soc.*, 5:604n25: TS NS J 337, "fragment of calligraphic begging letter"; cf. 3:224: "Even a complete stranger writing a begging letter—and many have found their way into the Geniza."; ibid., 325: "The Geniza contains countless begging letters written or dictated by men, none by women;" ibid., 605n59: a letter "superscribed, as begging letters often were, with Proverbs 21:14." And passim.

[3] Israel Abrahams, *Jewish Life in the Middle Ages*, rev. ed. by Cecil Roth (London, 1932), 334, 337. On his note card for TS 8.118, Goitein wrote "[f]ormulary of [a] Schorrerbrief."

[4] See chapter 2 at note 28.

ties or authorities that were often carried far and wide by their bearers in search of help. There are also non-Jewish parallels, such as the royal begging licenses in Spain issued to Christian captives seeking ransom.[5]

Many of the letters emanating from the poor themselves (as distingushed from letters of recommendation) are markedly different, both in form and in content, from the European "Schnorrerbriefe." They have a structure and style that were common in the contemporary Islamic world: that of the Arabic petition to a ruler or other dignitary requesting redress of a grievance or some kind of assistance. Such petitions from the Fatimid period have been carefully studied by Samuel Stern and by D. S. Richards, and most recently, in a comprehensive discussion with detailed diplomatic commentary by Geoffrey Khan.[6]

Procedures for dealing with petitions in the Fatimid chancery occupy the attention of medieval Arab authors like al-Qalqashandī. Actual petitions from the period (as well as from the Ayyubid and Mamluk periods) are to be found almost exclusively among the records of the minority communities—in the Monastery of St. Catherine in Sinai, where they were archived for future reference, and in the Cairo Geniza, where they were "buried" because they had no future use. A few Muslim petitions were discovered among the early Arabic papyri, where they were dumped into the garbage, or among the collections of "later papyri," most of them actually written on paper like the Geniza letters.[7] The Jewish and Christian petitions were sent, or drafted with the intention of being sent, to the Fatimid, Ayyubid, or Mamluk courts.

Procedure dictated that upon submission a petition would be read by the addressee in the government and then endorsed to reflect his response. The petition might be returned to the suppliant in this endorsed form, or a separate decree reflecting the decision might be composed by the chancery and dispatched to the petitioner. Some of the Arabic (as distinguished

[5] See Rodriguez, "Prisoners of Faith," passim. An example on pages 125–26 of an ex-captive with a royal begging license wandering from city to city to collect money to repay Christian merchants who had advanced him a sum to gain his freedom is reminiscent of the story of Jacob of Kiev, who carried a signed letter from Kiev-Rus all the way to Egypt (chapter 2 note 28).

[6] Samuel Stern, "Three Petitions of the Fāṭimid Period," *Oriens* 15 (1962) 172–209; D. S. Richards, "A Fāṭimid Petition and 'Small Decree' from Sinai," *Israel Oriental Studies* 3 (1973), 140–58; Khan, *Arabic Legal and Administrative Documents*, chapter 12, 302–409.

[7] Petitions preserved among the early papyri from Egypt represent an early stage in the evolution of the document's form, prior to the Fatimid period. Khan, "The Historical Development of the Structure of Medieval Arabic Petitions," *Bulletin of the School of Oriental and African Studies* 53 (1990), 8–30. For petitions among the "late papyri" (which include writings on paper), see for example Diem, *Arabische Briefe auf Papyrus und Papier*, index s.v. "Petition," e.g., 30–36 (fourteenth century), and another one, especially interesting as it demonstrates the use of the petition *within* the Christian minority community in Egypt, 18–25 (a Christian petition to the Patriarch of Alexandria, thirteenth century).

from Judaeo-Arabic) petitions in the Geniza and in the Monastery of St. Catherine contain endorsements. Many of the petitions in the Geniza that lack endorsements seem to be drafts.[8]

What is important for our present purpose is that the style and form of the Arabic petition were well known to the Jews. They used this literary convention not only when addressing the Muslim authorities, who would have expected formal diplomatic rules, but also when appealing to fellow Jews. They employed the petition form when seeking redress of a grievance through a Jewish communal official or head of the Jewish community, as well as through private persons, and the Geniza contains many of these. Since poverty also constituted a common reason to seek assistance or intercession, letters from the needy frequently take the form of the petition as well.

A Jewish Petition of the Poor

One characteristic and particularly fascinating specimen of a much larger batch of Judaeo-Arabic petitions of the poor, many of which have been adduced into evidence in the preceding chapters, will nicely illustrate the petition form, its place within the Islamic petition genre, and its social meaning in the Jewish poverty-charity scheme.[9] Cited several times before in this book, it comes from one Yaḥyā b. ʿAmmār of Alexandria, who asks for help for his old, blind mother, for his children, and for himself. It is addressed to ʿUlla ha-Levi b. Joseph (his Arabic name was Ṣāʿid b. Munajjā), parnas and trustee of the court in Fustat, for whom we have dated documents between 1084 and 1117.[10] The handwriting, which belongs to the Fustat scribe and court clerk Ḥalfon b. Menasse ibn al-Qaṭāʾif (dated documents 1100–38),[11] gives the letter a date that falls roughly in the middle of the classical Geniza period.

Arabic petitions, Khan explains, use distinct terminology and phraseology and have a characteristic form, with sections similar to the classic structure of *arenga-expositio-dispositio*, the introduction, exposition of the case, and request clause characteristic of petitions in the Greco-Roman world and also found in Jewish Aramaic papyri from Upper Egypt in the fifth century BCE.[12] Petitions to Fatimid rulers usually con-

[8] Khan, *Arabic Legal and Administrative Documents*, 303–305.
[9] Text and translation published in my abovementioned article (note 1), and in translation alone in Cohen, *The Voice of the Poor in the Middle Ages*, no. 1.
[10] *Med. Soc.*, 2:78.
[11] Ibid, 2:344.
[12] See one example in A. Cowley, ed. and trans., *Aramaic Papyri of the Fifth Century B.C.* (1923; reprinted Osnabrück, 1967), 108–22, a petition (two versions, probably drafts)

tain eight components, whereas petitions to lower-ranking dignitaries, such as Muslim judges, often lack one or more of the eight parts normally considered essential. Jewish petitions conform even less consistently to the eight-part structure.

In its fullest form, the eight-part structure of the Arabic petition assumes the following order. It begins with (1) a *tarjama* in the upper left corner, in which the suppliant's name is given. This opening formula is followed by (2) the Islamic *basmala* ("in the name of God the Merciful and Compassionate"); (3) a blessing on the ruler to whom the petition is addressed; (4) an expression of obeisance ("the slave kisses the ground"); (5) the exposition (beginning with the term "the slave reports"/"informs" [*yunhī*]); (6) the actual request, or "disposition" in the language of formal diplomatic, often containing motivational rhetoric; (7) the *ra'y* formula ("to our lord belongs the lofty decision,[13] *ra'y*, in this," etc.); and (8) closing formulas. Yaḥyā's petition lacks only one part of the eight. In the translation I have numbered the sections. In order to illustrate the mixture of Hebrew and Arabic (which is typical of Judaeo-Arabic letters in general), I have placed the Hebrew elements in italics. The notes to the text and the commentary that follows it explicate its Jewish, acculturative, and cross-cultural features.[14]

(1) Your slave Yaḥyā the Alexandrian
b. ʿAmmār

(2) *In (your) name O M[e]rc(iful)*[15]

(3) "*Happy is he who is thoughtful of the wretched; in bad times may (the Lord) keep him from harm*" (Psalm 41:2).[16]

May the Creator, may His mention be exalted and His names be sanctified, answer the pious prayer for your excellency the illustrious elder Abu'l-ʿAlā Ṣāʿid, *(your) h(onor,) g(reatness), ho(liness), (our) ma(ster) and t(eacher)*

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from the Jewish colony in Elephantine to the Persian governor of Judaea; Bezalel Porten et al., eds., *The Elephantine Papyri in English: Three Millennia of Cross-Cultural Continuity and Change* (Leiden, 1996), 139–47.

[13] Khan translates "resolution."

[14] The shelfmark is *TS 13 J 18.14. Since letter-writers frequently refer to both themselves and their correspondents in the third person, especially in formal correspondence like petitions, I use first and second person to avoid confusion. I wish to thank Professor Sasson Somekh for his help in understanding several difficult idiomatic expressions in this document.

[15] The usual Jewish counterpart of the Islamic *basmala*, in Aramaic, as here: *bi-shmakh raḥmana*, abbreviated *b-sh-m r-ḥ-m*.

[16] A particularly favored feature of the blessing on the addressee in Jewish petitions was biblical verses about charity. Quoting biblical verses formed part of the literary strategy in petitions of widows in early industrial England; see Sharpe, "Survival Strategies and Stories," 236. Where relevant in Jewish petitions, as here, titles of the addressee would also be included; this was general practice in correspondence, for titles were highly valued (a general phenomenon of Arab society).

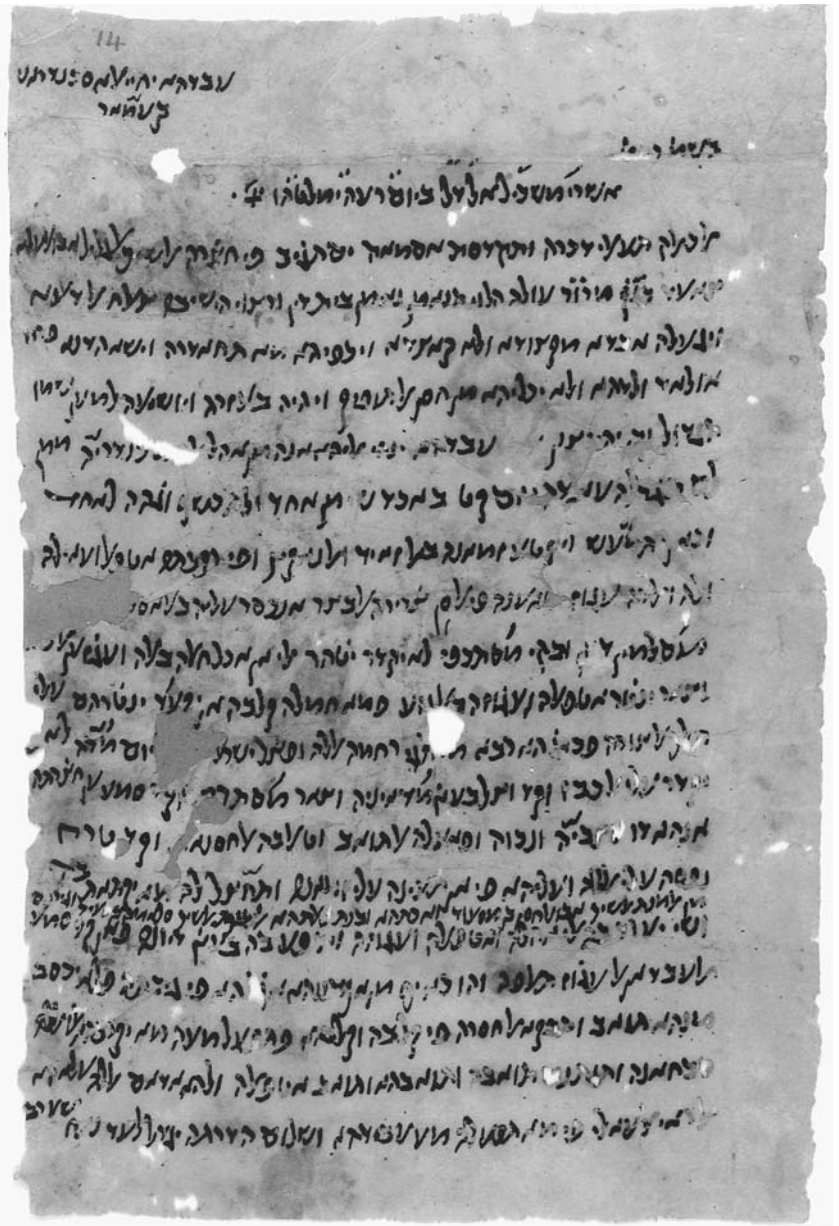

Figure 1. Petition from Yaḥyā ibn ʿAmmār of Alexandria

ʿUlla ha-Levi *the Trustee, Trustee of the Court and Favorite of the Yeshiva*, and make you always one of the besought rather than a beseecher and protect you from what you fear. May He grant that we witness the joy of seeing children of your children, may He not deprive you of good success, *and may He be your help and salvation, for the sake of His great name, and s[o] may it be His will.*

(5) Your slave informs[17] you that I am an [A]l[ex]andrian who has never [b]een in the habit of taking from anyone[18] nor of uncovering his face[19] (i.e., exposing his misfortune) to anyone. I have been earning a livelihood, just managing to get by.[20] I have responsibility for children and a family and an old mother, [a]dvanced in years and blind. I incurred losses because of d[e]bts owed to Muslims in Alexa[ndria].[21] I remained in hiding, unable to appear in public, to the point that my mind became racked by the situation. Unable to [go out], I began watching my children and old mother starve. My heart could not bear to let me sit and watch them in this state. So I fled, seeking re[f]uge in God's mercy and the kindness of the Jewish community (lit. "Israel").[22] [As of to]day it has been a (long) time since I have been able to get any bread. One of my creditors arrived and I went back into hiding.

(6) I heard that your excellency has a heart for his fellow Jews[23] and is a generous person,[24] who acts to receive reward (from God) and seeks to do good

[17] Beginning of the exposition, introduced by the Arabic word *yunhī*. The fourth part, the expression of obeisance, is omitted here, though it is present in most of the petitions. According to Khan, the obeisance clause, *yuqabbil al-arḍ*, did not come into regular use in Fatimid petitions to the ruler until the reign of al-Āmīr (1101–30); *Arabic Legal and Administrative Documents*, 310–12. Our petition probably dates from between 1084 and 1117. See also Khan, "The Historical Development of the Structure of Medieval Arabic Petitions," 25–26. The formula was also omitted in some Arabic petitions to dignitaries below the rank of caliph or vizier; Khan, *Arabic Legal and Administrative Documents*, 310 (no. 97).

[18] The typical claim found in petitions of those of the "working poor" and from "good families," that is, people usually just getting by or even well off until a crisis (a conjuncture) forced them into temporary indigence. See chapter 1.

[19] Arabic: *lā kashf wajhihi*, one of the watchwords of the conjunctural poor; see chapter 1.

[20] Arabic: *wa-kāna yatamaʿʿashu wa-yaqṭaʿu zamānahu biʾl-zāʾid waʾl-nāqiṣ* ("now gaining, now losing"), altogether a precise description of the "working poor." On the unusual word, *yatamaʿʿashu*, attested in some modern Arabic dialects, see Cohen, "Four Judaeo-Arabic Petitions of the Poor," 451, n. 18.

[21] On debt as a factor in impoverishment, see chapter 4, and for additional examples translated in full, see Cohen, *The Voice of the Poor in the Middle Ages*, chapter 5.

[22] On flight to evade debt, including the poll-tax obligation, see chapter 4 above.

[23] Arabic: *dhū ʿaṣabiyya,* using the Arabic historian Ibn Khaldūn's term hundreds of years later for the ésprit de corps that unites Arab tribesmen. On *ʿaṣabiyya* in Geniza letters, see *Med. Soc.*, 2:64. In the absence of a single word in English, I have adopted this translation suggested by Raymond P. Scheindlin.

[24] Arabic: *nakhwa*. See *Med. Soc.*, 5: 193–94.

work[s],[25] so I throw myself before God and you to help me[26] against the vicissitudes of Time and furnish me something to eat and something to bring back to my family, //including the widow of the elder Abuʾl-Ḥasan b. Masʿūd and her sister and the daughter of her maternal aunt, the widow of the elder Salāma b. [S]aʿīd, and others,// and my children and old mother, and to pay some of my debts. In fact, your slave has just heard that his old mother has been injured and I fear that her t[im]e has come near because of me and that I will not be rewarded by seeing her; rather, an unrequited desire will remain in my heart and in hers. So do with me what will bring you close to God, be [p]raised, and ear[n] reward (for helping) me and her and my children.

(7) To you, may God perpetuate your high rank, belongs the lofty decision[27] concerning what to do for your humble slave.[28]

(8) *And may the welfare of your excellency increase forever.*[29] *Great salvation*.[30]

The petitioner identifies himself in the tarjama, situated in the upper left-hand corner (in the translation this has been placed in the right-hand corner) as is conventional in petitions from the Fatimid period. He calls

[25] Khan explains that in most extant Fatimid petitions the "request" section opens with a phrase incorporating the verb "ask" (*saʾala*) or one that is semantically equivalent, like *ḍariʿa*, and that these two are frequently combined, e.g., *yasʾal wa-yaḍraʿ*, "asks and implores." *Arabic Legal and Administrative Documents*, 312. I have found this introduction to the request clause only once in the petitions I have studied: "Your slave Joseph kisses the ground before . . . and informs you that . . . Your slave's request (*wa-suʾāl al-mamlūk*) . . ." *TS 8 J 21.20, line 9. In the present document the petitioner uses motivational rhetoric before going on to employ a more intensified verb of asking in the next phrase, where he "throws himself" before God and the addressee for help.

[26] Arabic: *wa-qad ṭaraḥa nafsahu ʿalā allāh wa-ʿalayhā fī an tuʿīnahu*.

[27] Arabic: *al-raʾy al-ʿālī*, cf. Khan, *Arabic Legal and Administrative Documents*, 314–16. The *raʾy* clause, coming at the end of Arabic petitions, found its way into only a few Judaeo-Arabic petitions of the poor. The addressee here was one of the chief parnasim of Fustat, and indeed played a major role deciding on the distribution of charity.

[28] "Humble slave": *ʿubaydihā*. Or: "your slaves": *ʿabīdihā*.

[29] The Jewish closing formula in this petition consists of a blessing for the addressee, whereas the closing formulae in Arabic petitions addressed to Muslim rulers focus on God or on the Prophet and his family. It includes the *ḥamdala (al-ḥamd lillāh waḥdahu*, "praise be to God alone") followed by the *taṣliya (*e.g., *ṣalawāt allāh ʿalā sayyidinā Muḥammad nabiyyihi wa-ālihi wa-sallama*, "blessings of God be upon our lord Muḥammad, his prophet, and his family, and save them" or *wa-salāmuhu*, "and his [God's] peace"). Sometimes also the *ḥasbala* (e.g., *ḥasbunā allāh wa-niʿma al-wakīl*, "Our sufficiency is God. What an excellent keeper is he") appears. See Khan, *Arabic Legal and Administrative Documents*, 317, and Richards, "A Fāṭimid Petition and 'Small Decree' from Sinai," 143. In our petitions, as well as in Jewish letters, generally, the Hebrew closing formula usually contains the word *shalom*, "welfare, peace." Frequently, as here, one also finds a messianic prayer.

[30] Hebrew: *yeshaʿ rav*, one of many short phrases, sometimes expressing messianic hope, that serve the same function as the *ʿalāma*, or authenticating "signature" motto in Arabic official letters.

himself "the Alexandrian" because he had fled from that city to Fustat. It is not surprising that he addresses his petition to ʿUlla ha-Levi b. Joseph. In his capacity as one of the chief parnasim of Fustat, ʿUlla regularly supervised the collection of charitable gifts from benefactors in the community as well as the distribution of receipts to the needy. The newcomer had heard about ʿUlla's personal generosity, another reason for addressing his petition to this man.

The blessings on the addressee (the third section of the petition) are characteristically Jewish and they incorporate the addressee's Hebrew titles, in the same way that the blessings on the Islamic ruler in the Arabic petitions are tailored for the Muslim dignitary to whom they were submitted (with his titles). Yaḥyā also employs a rhetorical phrase often encountered in Jewish petitions from the poor: "May God make you always one of the besought rather than a beseecher." This recalls similar sentiments in classical Christianity and in Islam. "It is better to give than to receive," says the Apostle Paul in Acts 20:35. A famous *ḥadīth* (resembling a Jewish midrash) reports the words of the Prophet Muḥammad in a sermon: "The hand on top is better than the hand below. The hand on top gives, and the one below begs."[31] But Christianity and Islam (in the form of Sufism) also admired ascetic poverty, whereas rabbinic Judaism did not. The refrain "may God make you always one of the besought rather than a beseecher" reflects, not only an ideal in rabbinic culture, but also, I think, the social realities of Geniza society. The unpredictable forces of an individualistic commercial economy could easily reduce the rich to indigence. Indeed, as we have seen, many letters describe how someone of means suddenly "fell from his wealth" and was cast into poverty.[32] One protection against this was to give charity to the poor in the hope that God would reward the giver by guarding him from a similar fate.

The verse from Psalm 41 that Yaḥyā chose as the epigraph for his petition ("Happy is he who is thoughtful of the wretched; in bad times may [the Lord] keep him from harm") is a favorite in petitions of the poor. Echoing the sentiment expressed by the Judaeo-Arabic saying "may God make you always one of the besought rather than a beseecher," it alludes to the important Jewish concept that God rewards the charitable by

[31] Cf. Muslim, *Ṣaḥīḥ*, 2:592, *Kitāb al-zakāt*, no. 94 (1033) and in other ḥadīth collections cited in al-Maqdisī, *Kitāb faḍāʾil al-aʿmāl*, 340. On Islam's generally unenthusiastic attitude toward begging, see al-Qaraḍāwī, *Mushkilat al-faqr*, 52–57; trans. *Economic Security in Islam*, 42–47, citing this ḥadīth and others. The Jewish midrash: "There are two hands, one above and one below. The hand of the poor is below and the hand of the rich (lit: "householder," *baʿal ha-bayit*) is above. One must give thanks that his hand is above and not below." Midrash Zuṭa, Shir ha-Shirim, ed. Buber, 20 (par. 1:15).

[32] See chapter 1.

protecting them from harm and safeguarding their wealth, an idea that one can find in Muslim Arabic petitions as well.[33]

Here and elsewhere in other petitions, exhortation, one of the characteristic features of these letters (called motivation by Khan), forms part of the strategy to obtain charitable assistance. Yaḥyā humbles himself before God and his would-be earthly benefactor: "I throw myself before God and you to help me." The phrase "before God and you" is formulaic in the "request" clauses in Jewish petitions for assistance. The combination is also found in medieval Muslim letters on papyrus and paper, for God in the Islamic conception is also the ultimate cause of everything.[34] Jewish petitioners invariably appeal to both, for God is the ultimate ruler of the world (Psalm 24:1), but he also made man the proprietor of the material world (Psalm 115:16). Human beings should imitate God in their material beneficence, for which God will, in return, reward them.

The idea that one must rely upon the Creator as well as upon one's fellow man has the effect, therefore, of equating man and God in the act of charity. Imitation of God through charity is an idea inherited from ancient Judaism by Christianity.[35] Though the privileging of God as source of succor has its roots in talmudic ethics, it might have been reinforced by the Islamic ascetic ideal of *tawakkul*, or absolute trust that God will provide for all of one's needs, especially prominent in Sufism.

Yaḥyā exhorts ʿUlla further by explaining that he is responsible for (1) children, (2) a family, and (3) an old, blind mother. Similarly, in a petition to a vizier (1161–64 CE) a baker writes "that he is a poor man,[36] with a family and children" and unable to pay a debt. The man petitions the vizier to "look into his situation and allow him to pay the debt in installments."[37] Regularly, petitioners ask to be given gifts not only for themselves, but

[33] The Islamic idea that God recompenses the charitable with the reward of paradise is expressed in a petition on papyrus from Egypt (probably ninth century): "[I]f the amīr should resolve to give me something for which God will reward him with Paradise, then let him do so." Khan, "The Historical Development of the Structure of Medieval Arabic Petitions," 11, lines 11–13.

[34] A colorful version of the formula is found in a Hebrew petition, employing rhymed prose: "I prostrate myself with a request, petition, and supplication (*teḥina*) before Him who dwells in the heavenly habitation (*meʿona*) and before our lord, the Nasi of the community—who can count it? (*mi mana*)" (ENA 2808.31, lines 5–7), an allusion to a passage at the end of the Passover Haggadah: *ḥasal siddur pesaḥ ke-hilkhato . . . zakh shokhen meʿona qomem qehal mi mana*. My thanks to David Wachtel for pointing this out to me. For an example of the Muslim case, see Diem, *Arabische Briefe auf Papyrus und Papier aus der Heidelberger Papyrus-Sammlung, Textband*, 95–96, n. 5: *wa'l-mamlūk mā lahu illā allāh taʿālā wa-mawlānā*, and many other examples cited there. Cf. also *Med. Soc.*, 5:328–29.

[35] For rabbinic concepts of charity and their relationship to Christianity, see Urbach, "Political and Social Tendencies in Talmudic Concepts of Charity."

[36] Arabic: *rajul ṣuʿlūk*.

[37] Khan, *Arabic Legal and Administrative Documents*, 354–58 (no. 85, lines 9–10, 12–13).

also for their families, as in Yaḥyā's plea for "something to eat and something to bring back to my family, and my children, and old mother."[38] He has just heard that his mother was recently injured and is possibly near death. This pains him greatly for he fears he will not see her again before she dies. Certainly, this comment is intended to urge ʿUlla to expedite his (positive) response to the petition. The "large family" motif, the lament about illness in the family, and other rhetorical themes, though common, even commonplace in the petitions of the poor (as we have already seen) do not detract from the reality of their letters, any more so than they do for the English pauper letters centuries later.

We have seen the burden of children mentioned countless times in letters of the poor in earlier chapters. Sometimes the petitioner specifies the number of his brood. The more children, the greater the need—a theme occurring cross-culturally and in widely separated periods of history in petitions of the poor.[39] Our Yaḥyā goes further, striving to exhort his addressee to help him. After writing the words "my family, and my children and old mother," he added a phrase between the lines—an important afterthought. His "family" included other dependents as well: a widow, her sister, the daughter of her maternal aunt, another widow, "and others." It was not just his immediate family that was dependent upon him; he also supported other relatives in his extended kinship circle, truly a burden.

[38] Arabic: *mā [ya]qtātu bihi wa-shay yaʿūdu bihi ilā ahlihi wa-aṭfālihi wa-ʿajūzihi*.

[39] Cf. in a petition on papyrus (probably ninth century): "I have five children who depend on me." Khan, "The Historical Development of the Structure of Medieval Arabic Petitions," 11, line 11 (Arabic: *ʿalayyā khamsa min al-ʿiyāl*). Complaints about large families, especially an abundance of (vulnerable) children, abound in the "pauper letters" from early industrial England addressed by nonresident indigents to their home parish. See Sokoll, *Essex Pauper Letters*, index s.v. "family, large (more than three children)." An example (original misspellings, lack of punctuation, and capitalization retained) from a mother writing from London to her home parish (her family's parish of settlement) in Kirkby Lonsdale, in 1828: "I am bilghed (obliged) to Right to you we have bene virey moch Distressed all this winter and at present whors (worse) than ever the Revd William Cares Willson was so cind to gett me the loan of £12 for a blocking mashean (machine) and I have walked the streets this 3 weeks to take logins (lodgings) in town where my work lays and no one will take my family into logins I have got 5 Children and will have 6 in a virey little time and not one can ern me sixpence the Eldest as (has) been very bad all winter and I have one 8 years lying in Bed and cant be moved she is so bad and the worst of all [Matthew] Baisborn is in such a bad state of elth (health) he is not erning a 1/week we can have a hous with paying 20 pounds going in and if I had that I should be Able to Do and trobel aney one more and pay it Back but as we are we can Do no way and if we take it it will gain us a settlement hear." Taylor, "Voices in the Crowd," 124. Another example, in a letter of appeal from neighbors of an Essex widow resident in London: "[Y]our poor Petitioner is a Parishoner of Chelmsford and is left a widow with 7 Children 6 of whom are dependent on the poor pittance which the kindness of a few neighbours supply her with by sending her a few Cloathes to Mangle for them which at present is so trifling that they are now literally half-starving." Sharpe, "Survival Strategies and Stories," 237.

The reason for his flight from Alexandria is not chronic poverty. Yaḥyā is not permanently and incurably indigent. He belongs, rather, to the "working poor," in his words, "earning a livelihood, just managing to get by." His income is sometimes adequate for his family's needs, sometimes not. Normally he does not ask for help. Expressing himself metaphorically in the language of the conjunctural poor he explains that "I am an [A]l[ex]andrian who has never [b]een in the habit of taking from anyone nor of *uncovering his face* to anyone."[40] What now had changed? Debt. He owes money to Muslims back home.[41] To evade his creditors he had to hide out in his house. That meant he could not work. But he stresses a different point, a psychological one. Trapped in the house, he could not bear watching his children and old mother starve. "So I fled seeking re[f]uge in God's mercy and the kindness of Israel." The magnanimity of the Jews of Fustat was famed. But one of his creditors had pursued him to the capital, or simply arrived to find him there. With all these things weighing heavily on his mind, and writing from his hideout, Yaḥyā submitted this petition for assistance to the chief parnas of the Jewish community of Fustat.

Yaḥyā b. ʿAmmār of Alexandria, a low-paid worker with a large family, a member of the Jewish underclass, was not a beggar, not a vagabond. Rather, he was one of the many Jews, normally mastūr, who temporarily fell below the "poverty line." He did not need or wish to receive charity from the community dole along with those permanently unable to earn the minimal needs for existence and who therefore had to throw themselves on communal relief, exposing their financial plight in public. Instead, people like Yaḥyā sent petitions to individuals or to the community requesting relief.

We should be careful, therefore, about equating this document with the "begging letters" of central and eastern Europe in the late seventeenth and eighteenth centuries. Those letters were meant to be reused and therefore implied a chronic condition, serving the purpose of what we might call structured or controlled begging. The Judaeo-Arabic petitions we have discussed—like this one—functioned, not as a tool for begging but as a respectable instrument for obtaining private charity. A preponderance of the petitioners whose voices we hear wrote because they had unexpectedly experienced a personal or economic crisis—a conjuncture. They were ashamed to receive public charity, to join the breadlines with the chronically poor, let alone to beg.[42] They needed temporary assistance to overcome a temporary hardship. And they wished to do this *pri-*

[40] Arabic: *mimman lām [t]ajrī lahu ʿāda yawm qaṭṭu bi-akhdh shay min aḥad wa-lā kashf wajhihi li-aḥad.*
[41] *Med. Soc.*, 1:257
[42] See chapter 1.

vately, without "uncovering their faces" collecting alms from the community, in order to lessen their shame. For this purpose, the petition form was ideally suited. Addressed to one person, and meant to be used only once, it allowed these unfortunates, including those among them who came from the better-off class, to limit their embarrassment and to retain some of their dignity by employing a known instrument of Islamic political administration and following its diplomatic conventions.

Petition, Patronage, and the Social Meaning of the Texts

Yaḥyā b. ʿAmmār, whose petition is representative of a considerable deposit of Judaeo-Arabic letters having the petition form and upon which the following conclusions draw, was thus not a beggar in the formal sense.[43] Beggary, in the strict sense of soliciting in the street, or from house to house, or from synagogue to synagogue (the *meḥazzer ʿal ha-petaḥim* of rabbinic literature) was certainly present in the Geniza society. It has its literary representation, for example, in one of the delightful stories in the famous *maqāmāt* of the *Taḥkemoni* of the Jewish poet Judah al-Ḥarizi (1165–1225).[44] But, supported by the disapprobation of early rabbinic literature, begging was even more frowned upon in Jewish than in Islamic society, where Sufi ideals about the pious beggar reluctantly assured it a certain measure of respect. Conscious of the Jewish anti-begging ethic as well as of the widespread custom of seeking charity by letter, in his epistle to the head of the Jews Samuel Nagid b. Ḥananya, the Spanish poet Judah ha-Levi makes a point of saying that he came to Egypt without needs—even had a surplus that he left behind him in Spain—and intended "not to be a burden on anyone." Characteristically, the abundant literary sources from Islamic society, especially Mamluk Egypt (1250–1517)—be they chronicles or belles lettres—have much more to say about begging than the Geniza.[45]

The disdain for begging in Judaism finds semi-literary expression in the Geniza in a short exhortation couched in rhymed prose and copied into

[43] These concluding remarks expand considerably upon what I wrote in "Four Judaeo-Arabic Petitions of the Poor" and incorporate new thinking about the issues raised in the present book, in part stimulated by reading Peter Brown's *Poverty and Leadership in the Later Roman Empire*, which was published after I wrote and published that paper.

[44] Chapter 29, see Judah al-Ḥarizi, *The Book of Taḥkemoni: Jewish Tales from Medieval Spain*, trans. David Segal (London, 2001), 243–45.

[45] See the fragment of the letter of Judah ha-Levi published and discussed (not this aspect) by Shraga Abramson, "R. Judah ha-Levi's Letter on His Emigration to the Land of Israel" (Hebrew), *Kiryat Sefer* 29 (1953–54), 141 (my thanks to Professor Raymond Scheindlin for pointing this letter and this passage out to me). Mamluk Egypt: Sabra, *Poverty and Charity in Medieval Islam*, 32–68.

a collection containing a formulary for a letter of appeal seeking private charity. The verses discourage begging from human beings and encourage reliance upon God.

> Do not beg from other human beings, nor prostrate yourself before God's creatures. / Be careful not to turn to them. Do not knock on the doors of the notables. / . . . Rather, in time of need, rely upon your Rock and ask from the Lord of all, who brings low and raises up. / He will give you what you ask and desire and seat you next to those precious to him. / He makes the poor and destitute rich. /[46]

The sentiment here is echoed in practically every letter of appeal from the poor in the Geniza, for instance in the phrase "I throw myself before God and you to help me." This, one of a cluster of ideas that we encounter time and time again in letters of appeal, may properly be called an "antibegging clause" insofar as it expresses the petitioner's ideal preference for a gift from God and secondarily from a private benefactor, and a marked disdain for supplicating from door to door. Other ideas in this cluster include the ubiquitous protest, as in Yaḥyā's words, not to be "in the habit of ever taking from anyone nor of uncovering his face."

Another alternative to formal begging—since talmudic times—was the system of communal poor relief, the distributions of food and other items purchased with donations, part of a varied system in the "mixed economy" of Jewish charity operating during the classical Geniza period. This will be discussed in chapter 8, but it is relevant to anticipate that discussion here. Communal almsgiving addressed the sphere of the chronically ill; the permanently disabled, such as the blind; and also widows and orphans, divorcées, abandoned women, and newcomers who could not easily or quickly find work. By talmudic law, codified by Maimonides in our period, beggars were to be dispatched to the communal dole rather than given handouts (unless it was no more than a trifle).[47]

The petition form of Jewish letters of appeal—the opposite of begging—confirms and is in turn confirmed by patterns of an earlier period in the history of Christian charity. Peter Brown has suggested that the ancient Near Eastern model of petitioning for justice, which entered Christianity through the Hebrew Bible, suffused the new charity of the later Roman Empire, and also led to what he calls an "'upward slippage' of the notion of the 'poor' in Christian texts of the time."[48] His insight about early Christianity—including his claim, among others, that the an-

[46] Bodl. MS Heb. e 74.7 3v, lines 6–13.
[47] Hilkhot mattenot ʿaniyyim, 7:7.
[48] Brown, *Poverty and Leadership*, 69–73.

cient Near Eastern model was that of plaintiff, rather than beggar—accords with the practice of the later period in the Near East as represented in the form of the Judaeo-Arabic petitions of the poor from the Cairo Geniza. These texts reflect a relationship between petitioner and petitioned very much like the ancient and gentlemanly system of patronage pervading Near Eastern society. That relationship—that social meaning—was characterized by bonding between the benefactor and the recipient of his protection, who prayed to God on behalf of his or her patron in gratitude for a gift bestowed (or anticipated) and would praise him publicly for his generosity.[49]

This interpretation is supported philologically by an Arabic term whose significance has not been recognized. One of the words the Jews of the Geniza world commonly use for their petitions or when petitioning on behalf of someone in need is *khidma*, which in the Geniza normally connotes service to the community or service in government.[50] Reverberating with the more general usage in that society (and corresponding to a subsidiary meaning of the word "service" in English), *khidma* as petition means something to be given, an act of assistance, a kind of service done for (or, owed to) the needy (as in the duty to give charity), or an offer of reciprocal service in the form of gratitude from the petitioner, or both.[51]

[49] Christian pauper letters in Germany in the nineteenth century also often had a structure similar to the diplomatic scheme of the petition. These were "official" written appeals, addressed to public authorities, following the prohibition of begging in Prussia at the beginning of the nineteenth century. Grosse et al., eds., "*Denn das Schrieben gehört nicht zu meiner täglichen Beschäftigung*," 29–30. On the petition form as one of the modes employed in pauper letters of Christian indigents requesting welfare payments in early industrial England, see Taylor, "Voices in the Crowd," 111, 115 and Sokoll, *Essex Pauper Letters*, 57. The Geniza letters, it must be reiterated, display features of the classical and Arabic petition but most of them are requests for *private* charity. They afford the opportunity to respond to Sokoll's lament about the dearth of "comparative research into the social history of petitioning." Ibid, 60.

[50] *Med. Soc.*, 2:87 and 541n104, 355; Friedman, "News Sources from the *Geniza* for the Crusader period," 79, n. 49. One example among many of khidma as petition: AIU VII E 91, lines 6 and 10.

[51] For the nuance of "gift" (a thing paid), see Kazimirski, *Dictionnaire arabe-français*, 1:548; E. W. Lane, *An Arabic-English Lexicon*, (London, 1865), 2:711, col. 3; and Dozy, *Supplément*, 1:355. In TS 13 J 19.24, a letter of appeal on behalf of a needy person, the sender writes: "The bearer of this petition" (*mūṣil hādhihī al-khidma*). CUL Or 1080 J 88, ed. Kraemer, *Maimonidean Studies*, ed. Arthur Hyman, vol. 2 (1991), 87–89, contains a petition for a contribution toward payment of the poll tax for the poor (*ṣuʿlūk*) letter-bearer (*mūṣil hādhihī al-khidma*) and his son. Kraemer translates "letter" without further comment. Another letter, CUL Or 1080 J 97, is described as a khidma on behalf of a needy person, which the writer says is accompanied by yet another letter requesting a political favor on his own behalf. Also, in the docket on the back of a letter from a man in need of financial assistance, we find: "A petition (*khidma*) laid before the Dignitary of the Levites"; *BNUS 4038.9, ed. Cohen, "Poverty as Reflected in the Genizah Documents." There are other examples, too. See also in the letter (not about poverty), TS 13 J 21.8, lines 2–3: "I

Khidma is one of those expressions from the vocabulary of everyday life that mirrors the social mentality of the Judaeo-Arabic world, deeply embedded in its Muslim-Arabic and general Near Eastern setting, in which the poor and the charitable could interact in a nexus of patronage complementing the reciprocity between giver and taker conferred by religious precept.

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would like my master kindly to convey my well-being, service (*khidmatī*) (here meaning service through prayers on his behalf), and great longing to . . ."

Chapter Eight

CHARITY

Private Charity

Private versus Public Charity

LETTERS OF APPEAL by or on behalf of needy people seeking private charity formed a major source for our discussion in previous chapters. We saw that these people to a large extent came from the ranks of the mastūr, those who normally led "concealed" lives.[1] In their need and in their wish to limit their shame, they turned privately to individuals or to officials in the community, rather than resort to collecting bread and other alms from the community's public relief. The evidence of private charity embedded in these missives opens a window on an aspect of the general subject that, by its very nature, is not observable to historians of other societies in premodern times.[2]

Stylized phrases in letters of appeal praising the generosity of would-be benefactors should not be taken as assuming a reluctance to give. The language of exhortation was part of a vocabulary of patronage characteristic of Middle Eastern society. Prayers offered (or promised) by the suppliant on behalf of the donor represented the indigent's return in the calculus of reciprocity—his pledge of gratitude and implicit loyalty toward his patron. Expectations of response were fulfilled (and reinforced) each time a donor came back with a gift. To be sure, the gift did not always arrive with dispatch, and occasionally we hear complaints about dilatory benefactors. One suppliant writes: "your slave sent you a petition (*khidma*) before the holiday containing some of my complaints and situation. . . . Your slave's situation has now gotten worse . . . and his adversities are greater, such that your slave cannot describe them. Since the request did not get a response, your slave has had to send another."[3] From this kind of evidence,

[1] See especially chapter 1 but also elsewhere in previous chapters.

[2] Sharon Farmer writes, for instance, in *Surviving Poverty in Medieval Paris*, 6: "Because of the limitations of the sources . . . medieval historians have thus far uncovered only fragmentary information about poor people's noninstitutional social networks and forms of support."

[3] AIU VII E 91, lines 5–11.

however, we cannot decide whether the addressee was initally reluctant to make a gift, or simply did not receive the suppliant's first request.

On the other hand, the occasional mention of those who could verify the plight of a poor petitioner is surely a sign that some givers wanted to confirm their deservedness before making a gift, especially if they did not know the person involved. Especially in the case of wayfarers or immigrants from far-off places it is not surprising that benefactors should have desired some proof of need before they parted with their money. Anticipating that, many of the letters recommending indigents from distant Europe or from remote parts of the Islamic world contain signatures, giving the letters the gravity of official testimony.[4] Nonetheless, we may suppose that in the vast majority of cases people responded positively, and their responses represent private charity in action.

We must remember, too, that much private charity in the Jewish world was anonymous, hence invisible to the historian. In keeping with an old ethical ideal in Judaism that Maimonides spotlighted in his codification of the laws of charity, anonymity could be either double, when neither party knew the other—the type of anonymous giving he praised most highly—or one-sided. Suppliants sometimes exhorted their would-be benefactors by quoting the crux verse in Proverbs (21:14), "A gift in secret (*mattan be-seter*) subdues anger (the anger of God)."[5] Much anonymous giving must have occurred even without such appeals.

The Family as Benefactor

The most private of private sources of charity—hence also elusive to the historian—was the family. Notwithstanding recent questioning of the existence of a premodern "golden age" in which family provided the major source of comfort for the needy, there is no reason to doubt the important role that family (first, the immediate, nuclear family, then the extended kinship circle), along with neighbors, played as benefactors of the poor in the Geniza world. This can be asserted despite the multitude of well-documented extrafamilial sources of Jewish poor relief, the very kind of "mixed economy" of charity that is proposed by some scholars as a substitute for the predominantly family-based welfare in the premodern world.[6]

[4] See chapter 2 note 28.

[5] One example from among many, the verse is quoted as the epigraph in the letter TS 13 J 17.8.

[6] Peregrine Horden, "Household Care and Informal Networks: Comparisons and Continuities from Antiquity to the Present," in *The Locus of Care: Families, Communities, Institutions and the Provision of Welfare since Antiquity*, eds. Peregrine Horden and Richard Smith (London and New York, 1998), 53. Though elusive, evidence of the (continued) role of family in care for the needy is being uncovered—indeed, even for the post "golden age"

Like Islam, which gives primacy to family assistance in the hierarchy of charity in its legal sources and ḥadīth, normative Judaism, as we saw in the halakha that gives priority to "the poor of one's household" over others, similarly puts aid to relatives first.[7] Where intergenerational living was common, as was characteristic of Middle Eastern society, charitable assistance to "the poor of one's household" could be carried out easily enough. This included family maintenance of the elderly living in the same compound as their married children. Older folks crop up frequently as recipients of alms when their familial caretakers were themselves on the dole. That is the meaning behind such entries as "X and his mother-in-law/father-in-law."[8] Many letters tesify to the care of elders living in the bosom of their children's family.[9] In the mobile society of the eleventh, twelfth, and thirteenth centuries, furthermore, persons in need could often find succor among relatives scattered across the Mediterranean.

Natural social mores underlay the precedence of relatives in the hierarchy of goodwill. Motivation to save kin from the embarrassment of turning to strangers, let alone the humiliation of "uncovering one's face" on the public dole, ran strong. So did the wish to save face for the family

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period—in pauper letters from early industrial England; Sokoll, "Old Age in Poverty," 135–39.

[7] Al-Qaraḍāwī, *Mushkilat al-faqr*, 63–73; trans. *Economic Security in Islam*, 50–65. Many ḥadīths praise those who give to family first. For another discussion of the primacy of family in Islamic charity (a legal principle that was broadened in practice in pious foundations), see Peter Charles Hennigan, "The Birth of a Legal Institution: The Formation of the *Waqf* in Third Century A. H. Ḥanafī Legal Discourse" (PhD diss., Cornell University, 1999), chapter 6, 241ff. Brian Tierney comments about Catholic charity in the Middle Ages: "The idea that 'charity begins at home,' that it should spread out as it were in concentric circles, and in the first place to one's family and close associates, was deeply rooted in medieval theory and practice." Tierney, *Medieval Poor Law: A Sketch of Canonical Theory and Its Application in England* (Berkeley and Los Angeles, 1959), 57.

[8] The female beadle of the synagogue of the Palestinians and her mother: *TS Arabic Box 30.67v, left-hand page, line 11, *Med. Soc.*, 2:456–57, App. B 65 (1100–40); the Kohen and the brother of his mother and his grandmother: *TS Misc. Box 8.25r, left-hand page, line 24, *Med. Soc.*, 2:443–44, App. B 24 (1100–40); Barakāt the supervisor (of kashrut) and his father-in-law: *TS Box K 15.39r, right-hand page, line 2, *Med. Soc.*, 2:443, App. B 21 (1107). For the debate about the role families played in parent maintenance in northwestern Europe in the pre–welfare state, see David Thomson, "The Welfare of the Elderly in the Past: A Family or Community Responsibility?" in *Life, Death, and the Elderly: Historical Perspectives* (London and New York, 1991), 194–221; and Sokoll, "Negotiating a Living," 40–41 (evidence from pauper letters from early industrial England of elderly indigents living with their children). More on the role of family in care for its own needy members during the Industrial Revolution in Taylor, *Poverty, Migration, and Settlement*, 93–102. The Geniza community, situated in the medieval Middle East, provides an important comparative angle on these issues.

[9] For example, the case of Yaḥyā ibn ʿAmmār, whose elderly, blind mother lived with his family; see above chapter 7.

itself. One man expresses gratitude for family generosity in his deathbed declaration. He releases a nephew from all claims of debt after his death, saying, "not even a penny (*peruṭa*) did I have left, but I was a burden to him all my life, living off his money. Had it not been for the mercy of Heaven and that of the herein mentioned Joseph, the son of my brother, I would have been forced to take recourse to public charity [text says: 'Israel,' meaning the Jewish community]."[10]

If we still hear relatively little about family care in the Geniza it is because what was taken for granted and offered with grace normally did not need to be mentioned. We get occasional glimpses of family charity when it is absent, denied, or otherwise problematic. A poor man from the Maghreb who had sojourned in Sicily arrived in Alexandria, where he was supported by pledge drives (pesiqot) until it was discovered that he had family there—and family should take care of its own. We encounter him on the road to Fustat, apparently because his Alexandrian relatives had been less than forthcoming with help for their foreign kinsman.[11]

For women in distress, whether widowed, divorced, or deserted by their husbands, the natural first recourse was their natal family. They would seek succor there, especially from brothers, with whom they customarily maintained close ties even after marriage and who continued to assume a certain amount of responsibilty for their sisters' welfare throughout their lives.[12] Sometimes we hear about this kind of familial support when it failed. A "female foreigner" from Ascalon sojourning in Fustat explains that her family could not aid her. She had two brothers back home on whom she was totally dependent for her sustenance and that of her children. One of her brothers worked as a functionary in the Jewish community. She recently learned that her brothers were experiencing great adversity in Ascalon and so could not come to her aid. She is therefore desolate, literally "cut off" (*inqaṭaʿa*, i.e., from family) and is perishing from hunger.[13] Though a foreigner, she appeals to a local Jewish

[10] TS 10 J 10.2, lines 1–3, cf. *Med. Soc.*, 2:126, where Goitein leads off the section on "the needy" by citing this document. A letter from a man who sought help from a kinsman, the noted merchant Nahray b. Nissim, indicates that Nahray was angry that his relative had previously received charity from one of the other Maghrebi merchants. It is not clear whether Nahray worried that people might have thought he was neglecting his relative or was peeved for some other reason, such as competition over patronage—or perhaps both. *Westminster College, Misc. 34, ed. Gil, *Be-malkhut yishmael*, 4:430–31, discussed 1:713 (bottom), and see my translation and commentary, which differs from Gil's, in *The Voice of the Poor in the Middle Ages*, no. 10.

[11] TS 16.287, ed. Ashtor, *Mamluks*, 3:101–105. Cf. Goitein, *Tarbiz* 41 (1971), 68–73.

[12] *Med. Soc.*, 3:20–24.

[13] CUL Or 1080 J 40, line 17, ed. Gil, *Ereṣ yisrael*, 3:508–509: *wa-qad inqaṭaʿa biʾl-ʿabda wa-halakat biʾl-jūʿ bi-sabab ishtighāli[h]im ʿanhā* (Gil translates *inqaṭaʿa*: "have reached the end of the road"). This expression, often appearing as a participle, *munqaṭiʿ(a)*, has a wide

courtier for succor, hoping that her story of misfortune and absence of family relief would fall upon a sympathetic ear.[14]

Foreigners nearby and far away often complain about the lack or failure of family assistance. The woeful appeal addressed to David b. Daniel, Egyptian head of the Jews (ca. 1082–94), from the woman with the degenerative skin disease, evidently a newcomer, laments that she is alone, without family—"neither husband, nor son, nor daughter, nor brother, nor sister."[15] We hear, too, the voice of a widow seeking the help of a brother in Egypt during a time of hardship stemming from famine and the attack by the Normans on Tunisia. Exhorting him she writes: "You help strangers and people from outside, how much more so (should you

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semantic range in the Geniza letters about the poor. It can mean "cut off" from employment, as in TS 8.64, lines 8–9, "his being cut off from making a living" (*inqitāʿuhu min al-taṣarruf fī al-maʿāsh*). But often it means, more generally, "desolate," a synonym for the wretched poor, whose indigence results from being *cut off* from family (including spousal) support. See for example *kāfilan liʾl-ḍuʿafāʾ al-munqaṭiʿīn waʾl-fuqarāʾ al-mudqaʿīn*, "you take care of the weak (= poor) who are desolate and of the poor who are miserable," TS 10 J 20.5, lines 7–8, ed. Goitein, *Tarbiz* 32 (1962–63), 187; rev. ed. Gil, *Foundations*, 325–26. Goitein translates (into Hebrew) "*dallim neṭushim*" = "desolate poor" (later he explains it, "people confined to their homes by illness," *Med. Soc.*, 2:426). Gil translates: "you take care of poor people who *confine themselves (for the study of the Torah)* and miserable needy people." Gil thinks it has the same meaning in a document regarding a pious foundation established by a will, according to which the residuals are to be spent "either on medicines for the sick or on shrouds for the dead, or on the poll tax *li-munqaṭiʿ*," which Gil renders "of a scholar." Bodl. MS Heb. f 56.129, lines 9–10, ed. Gil, *Foundations*, 246–51. That is possible but not necessary. Gil brings there additional examples supporting his interpretation (ibid., 250, n. 10), but in only one of the two cases does the term have this meaning, in the form *al-munqaṭiʿīn ilā al-torah*, Simha Assaf, "Letters of R. Samuel ben Eli and his Contemporaries" (Hebrew), *Tarbiz* 1, no. 2 (1930), 68 (lines 11–14). The other passage Gil cites, which is excerpted from Yāqūt's geographical dictionary (*Muʿjam al-buldān*, ed. F. Wüstenfeld, vol. 3 [Leipzig, 1868], 598) by M. Kister in his article, "'You Shall Only Set Out for Three Mosques': A Study of an Early Tradition," *Le Muséon* 82 (1969), 192, n. 96, relates that in ʿAbbādān (a city and island in western Iran) there was a "waqf for *munqaṭiʿūn*," who are described as people who are supported in part by that waqf but mainly from pledged donations (*nudhūr*). These same people are mentioned earlier on the same page: "in that place there is a group who live there for worship (*liʾl-ʿibāda*) and for *inqitāʿ*. I see no reason to adopt there Gil's translation of *inqitāʿ*. It seems to mean, simply, people who live apart, out of piety (perhaps also they were poor). On the other hand, in our context, the evidence for the connotation "desolate" in the sense of cut off from support (familial or from income from work—which could result from illness, of course), seems well established. For further examples, see below.

[14] Cf. DK II, ed. Vilmos Steiner, *Három arab kézirat az ó-kairói genizából* (Budapest, 1909), IV–V, a "desolate" (*munqaṭiʿa*) woman submitting a complaint against her husband to the nagid Samuel b. Ḥananya because her brother, who is "an unsocial, bashful (*muḥtashim*) young man," could not come to her defense. *Med. Soc.*, 3:21.

[15] *TS 13 J 13.16, cf. Cohen, *Jewish Self-Government*, 207. The letter is in Hebrew, suggesting it was dictated to someone in a place where Arabic was not spoken. The misspelling of the place-name "Cairo" strengthens the suspicion.

help) me, your sister."[16] The female refugee from Jerusalem at the time of the Seljuk invasion who wrote to her brother-in-law in Fustat from her exile in Tripoli, Lebanon, closes her anxious description of lassitude on the part of the local community with the plea: "Do not neglect me. Be mindful of family and the ties of blood."[17] These letters and others incidentally demonstrate Goitein's observation that women seeking private charity wrote to their own families or to community officials, and, unlike male suppliants, did not normally appeal to complete strangers.[18]

One wonders whether men were more likely than women to be refused family assistance, especially if they could work—a gendered distinction that Sharon Farmer notes for the poor in medieval Paris.[19] The available evidence makes it difficult to say. We get a possible hint of this distinction in the letter of the impoverished Yemenite, newly arrived in Fustat, quoted at the beginning of chapter 2. Entreating his brother, who himself was in distress as a result of a mishap at sea, he writes, "Do not be stingy with me, my brother, because I would not be presssing family except at a time like this when I, my brother, am in a foreign country without a dinar or dirhem."[20]

The many impoverished women traveling in search of private charity or charity from the community were often precisely those who for some special reason could not muster help from their kin. We should not, however, conclude from their cases that family assistance was normally denied women. What we have is the exceptional cases. A widow in distress, with one orphan daughter in her charge, writes of being "a desolate woman (*mara munqaṭiʿa*) about to die." By "desolate" one imagines her to be saying that she does not have support from her own family, but we do not know why.[21] Using the same word, poor, "desolate" Hayfāʾ, the deserted wife, describes how she suffered with her little ones from dearth and was forced to beg her way from Palestine to Fustat after her own family back home refused her help.[22] Theoretically, *munqaṭiʿa* could mean unable to work, because she needed to travel in pursuit of charity, but more likely it denotes being poor because she is detached from family support.

[16] TS 10 J 14.20v, lines 7–8.
[17] Westminster College, Misc. 35v, line 4, ed. Goitein, *Jewish Quarterly Review*, n.s. 66 (1975–76), 79–83; revised, Goitein, *Ha-yishuv*, 278–82; Gil, *Ereṣ yisrael, 3:52–30;* trans. *Med. Soc.,* 5:84–85.
[18] *Med. Soc.*, 3:325.
[19] Farmer, *Surviving Poverty in Medieval Paris*, 74–104.
[20] TS 12.13, lines 11–14.
[21] *TS 8 J 18.19, lines 6–7.
[22] TS 13 J 8.19*; Med. Soc.,* 3:196–97.

The pitiable widow of the cantor Ben Naḥman, whose brothers could not step forward to help her because of the poll tax (they probably were under house arrest for arrears or feared real imprisonment), uses that same language lamenting, "I am de[solat]e (*mun[qaṭi]ʿa*), with no one to speak about [m]y case."[23] The same sense of the word—being cut off from family succor—appears in the letter of appeal to the judges and elders of the community from another widow and mother of four orphaned children, when she says, "we are five souls, desolate, naked, and starving, having no one to turn to but God the ex(alted) and my masters the most illustrious elders."[24]

We may surmise that the extremely large number of widows on the alms lists either had no parents or that their parents were too old to assist them. Curiously, however, very few such women are listed together with their orphaned children. Widows complaining of the burden of orphaned children often write letters in quest of private charity, but widows with orphans rarely appear together on the dole. When they do, the orphans are often fatherless children whom they had taken into their homes. Even men appear with such "foster" children.[25] Why orphans often appear on the alms lists by themselves will be discussed in the section on "care of orphans" below.

Wills

Private charity expressed itself in wills. A large number of wills are preserved among the Geniza papers and an entire study has been devoted to them in the context of a broader, diachronic history of Jewish inheritance

[23] *TS 13 J 13.6, lines 6–7, ed. Cohen, *Jerusalem Studies in Arabic and Islam* 24 (2000), 459–64 (I have changed the translaton "alone" to "desolate").

[24] *TS 13 J 18.10, lines 10–12.

[25] Examples: "a woman from Rūm and an orphan": *TS Box K 15.39r, right-hand page, line 20, *Med. Soc.*, 2:443, App. B 21, (1107), and again, in the same record book, *TS Box K 15.5, line 23, *Med. Soc.*, 2:443, App. B 19; "a Rūm man and an orphan" (this cannot be his own orphan, hence it is an orphan of some other deceased person that he had taken into his care): *TS Box K 15.39r, line 22; "Ṣabīʾ and an orphan and his mother" (the unnamed "orphan" seems to be a lad living with this family): *TS Box K 15.39v, right-hand page, line 15; "Sabīʾ and the (same) orphan," in the same record book pages from 1107: TS Box K 15.50r, right-hand page, line 5, *Med. Soc.*, 2:443, App. B 22 (and elsewhere in the pages preserved from this register); "the mother-in-law of Elijah and an orphan," ibid., recto, left-hand page, line 17, and again in the hand of the same scribe who wrote the register with the listings from 1107: *TS Misc. Box 8.25r, left-hand page, line 8, *Med. Soc.*, 2:443–44, App. B 24 (1100–40); "Judah (spelled with an *alef* at the end) and an orphan": *TS Misc. Box 8.9v, right-hand page, line 8, *Med. Soc.*, 2:442, App. B 18 (1100–40) (in his foster care).

laws and practices.[26] A few of the seventy Geniza wills published in the appendix to that book and others mentioned elsewhere contain stipulations regarding gifts for the poor, or make bequests to the synagogue or to scholars.[27] The most famous will is that of the wealthy eleventh-century businesswoman with a scandalous personal life (a son born out of wedlock), al-Wuḥsha.[28] She left the tidy sums of twenty-five dinars for the cemetery, twenty-five for the synagogues (oil for illumination), twenty for "the poor of Fustat," and seventeen for family members. Money for charity crops up in many other bequests. Particularly interesting is the statement of a woman regarding the proceeds from the sale of her property after death—again, designated for both institutional and individual needs. She "has a *ghulām* (slave, business agent) who is to be sold, the proceeds to be divided equally, one half for the upkeep of Dammūh and the other half to remain with *the court*, designated for someone who d[i]es impoverished (i.e., to pay their burial expenses), or to a person who gets detained on account of the poll tax and has not the wherewithal to extricate himself."[29] Dammūh was a famous shrine and pilgrimage spot south of Fustat, and support for its upkeep was high on the philanthropic agenda of both individuals and the community.[30] In a different vein, a testator might leave instructions that residuals from his estate, after paying for funeral expenses, be devoted to the poor.[31]

[26] Joseph Rivlin, *He-yerusha veha-ṣeva'a ba-mishpaṭ ha-'ivri* (Inheritance and Wills in Jewish Law) (Ramat Gan, 1999).

[27] A few wills in the same author's other book, on formularies from Lucena in Spain, have stipulations for the poor. Joseph Rivlin, *Shiṭrei qehillat al-Isana min ha-me'a ha-aḥat 'esreh* (Bills and Contracts from Lucena) (Ramat Gan, 1994). One example, not included in the collection (only mentioned there, 95, 147): a pregnant woman close to giving birth and contemplating dying during childbirth bequeaths among other things "forty dinars to the *mastūrīn* poor in Cairo and Fustat"; PER H 89, lines 6–7, ed. Goitein, *Sefunot* 8 (1964), 120 (1137).

[28] TS Arabic Box 4.5, ed. Goitein, *Seventy-Fifth Anniversary Volume of the Jewish Quarterly Review* (Philadelphia, 1967), 225–42 ("The sums dedicated to charitable and religious purposes were unusually high and certainly intended to atone for Wuḥsha's only too patent sins"; ibid., 233); cf. *Med. Soc.*, 3:346–52.

[29] *TS 10 J 7.10c, lines 9–11, ed. Rivlin, *Ha-yerusha*, 371–73 (some corrections are needed to his edition); cf. *Med. Soc.*, 5:139–40 and 544, n. 61.

[30] On Dammūh see *Med. Soc.*, 5:20–24, and Joel L. Kraemer, "A Jewish Cult of the Saints in Fāṭimid Egypt," in *L'Egypte Fatimide: Son art et son histoire*, ed. Marianne Barrucand (Paris, 1999), 579–601. Other examples: TS 13 J 34.5v, ed. Rivlin, *Ha-yerusha*, 285–87, trans. Goitein, *Med. Soc.*, 5:145 (ten dinars for a scholar and ten for the synagogue of Dammūh). When a community was dilatory paying up its pledges for Dammūh it would be admonished, as in TS 10 J 32.12, partly ed. Goitein, *Homenaje a Millás-Vallicrosa* (Barcelona, 1954), 1:718–19 and TS Arabic Box 51.111, ed. ibid., 717–18; cf. *Med. Soc.*, 2:485, App. C 36.

[31] TS 12.631, lines 13–14, ed. Rivlin, *Ha-yerusha*, 306–307; TS 18 J 1.25, lines 19-21 (*li'l-ḍu'afā' wa'l-masākīn*, a formula found in Muslim waqf deeds), ibid., 335–38.

Confraternities?

Jewish confraternities began to become common in Christian Spain from the thirteenth century, and thereafter in other European communities, notably Italy, and derivatively, beginning in the sixteenth century in the Ottoman Empire.[32] They served multiple functions, including charitable purposes such as the dowering of orphan girls, teaching poor children and orphans, clothing the needy, visiting the sick, providing medical care, and burying the dead. Similar to their counterparts in Catholic society, such as those studied in Brian Pullan's *Rich and Poor in Renaissance Venice: The Social Institutions of a Catholic State, to 1620*,[33] they were corporations in the same sense that the Jewish community as a whole formed a corporation within Christian society, and they in some ways constituted an alternative or even counterforce to the officialdom of the organized community.

Confraternities are conspicuously absent from the Geniza documents for the classical period and so is substantial information about the kinds of services offered by confraternities in the European (and later, Ottoman) communities—services often lumped under the rubric of *gemilut ḥesed*, "act of kindness," and distingushed from direct charity on an ad hoc basis. As far as the evidence permits a conclusion, these services seem to have been provided through private gifts, through pious foundations (*heqdesh*), through monies left in wills, and by public charitable distributions. Clothing for the needy, as we shall see, played a prominent role in communal allocations to the poor. Fees for schoolmasters teaching the poor often came from communal resources like the heqdesh, to be discussed below. Burial expenses for the destitute might be incorporated as a charitable bequest in a will, as we have just seen, or in a heqdesh, as we shall see later. And other "acts of kindness," like bequests or family charity to help marry off poor girls, are also mentioned in the Geniza records.

The absence of confraternities, however, should not surprise us. Confraternities, corporately organized, as well as guilds, did not exist in Muslim

[32] Shimon Shtober, "Charitable Confraternities in Christian Spain" (Hebrew), *Sefer hazikkaron le-Avraham Spiegelman*, 151–67, who speculates needlessly that confraternities probably existed already in the Muslim Spanish period; Yom Tov Assis, "Welfare and Mutual Aid in the Spanish Jewish Communities," in *Moreshet Sepharad: The Sephardi Legacy*, ed. Haim Beinart (Jerusalem, 1992), 325–38; Yaron Ben-Naeh, "Jewish Confraternities in the Ottoman Empire in the Seventeenth and Eighteenth Centuries" (Hebrew), *Zion* 63 (1998), 277–318. For extensive bibliography on Jewish confraternities in medieval and early modern Europe, see ibid., note 113.

[33] Oxford, 1971.

society during our period either. The city itself in Islamic society was not a corporation, as it was in Christendom. The Jewish community followed suit. As in the surrounding Muslim world, social and political relationships among Jews operated more informally and bonds were formed according to less formal principles. The Jewish community did not possess the rigid structure against which, some believe, confraternities in Europe arose in opposition. As for charity, it was either private—and that private charity was individualistic, not emanating from organized groups like confraternities—or communal. It is to the wide-ranging domain of Jewish public charity that we now direct our attention.

Public Charity

Public charity in the Geniza world, the mode of assistance that functioned at the communal level, set the Jews apart from their Muslim neighbors, especially in its main manifestation, the food dole. Mamluk Cairo, Adam Sabra writes, "possessed no system of government-sponsored poor relief. The existence of pious foundations which supported hospitals and schools did offer some help, but there were no regular distributions of food by the state."[34] This seems to hold for earlier periods in Egypt as well. At the same time, public charity in the Jewish community was not nearly so well differentiated from private philanthropy as was the case with Christian poor relief in early modern Europe. Nor was it the result of new historical circumstances, as was the case in sixteenth- and seventeenth-century Europe. There, population growth, hard economic times, expanding numbers of the urban poor—accompanied by an intensified fear of public begging and vagabondage—as well as new proposals by both Protestants and Catholics to improve social welfare, gave birth to state-run, "secular" philanthropy, in some places (notably England) supported by public taxation.

In the period and community we are discussing, public charity had a different face. First of all, it was preeminently a religious act—a *miṣva* in Hebrew—as it had been in Judaism for centuries. Furthermore, the structures of communal charity were established long before the advent of Islam, in postbiblical times, when Jews everywhere became more and more urban, and the older, agriculturally based means of relieving the needy described in the Bible no longer sufficed. Indeed, in most parts of the postbiblical Jewish world the biblical laws of charity were not even in

[34] Sabra, *Poverty and Charity in Medieval Islam*, 32.

force.[35] Thirdly, in the "mixed economy" of Jewish charity in the Geniza, the neat dichotomy often assumed in modern poor relief between voluntary, private (personal) charity and obligatory, public (and impersonal) philanthropy simply did not exist. People answered the call of private appeals from the poor, left money to the poor in their wills, established pious foundations for purposes including relief of poverty, and at the same time contributed directly to the public dole. Certainly, there is no question of one type of charity superseding the other, as is debated in the case of the transition from medieval to early modern philanthropy in European, particularly English, history.[36] Moreover, in the Geniza society, "public" giving was, in theory at least, voluntaristic, even if it was felt to be obligatory—a manifestation of the religious mind seeking to satisfy God's commandents. Public Jewish charity in our period nicely illustrates Marcel Mauss's principle, based on the study of a very different society, that the gift is "in theory . . . voluntary but in fact . . . given and repaid under obligation."[37] Furthermore, in that closely knit, residentially compact society of ethno-religious Jewish solidarity, the social distance between givers and takers was drastically reduced. Much familiarity marked the relationship between social welfare officials and the local poor. Lastly, in Fustat, at least, we do not find any evidence of formal taxation (as opposed to direct solicitation for contributions) to support poor relief or communal services. In this, Fustat differed from Alexandria, where the community collected a tax on meat, like the community of Ramle in Palestine and like many Jewish communities in Europe in later times.[38] If not from community taxation, where did money for public poor relief in Fustat come from?

[35] The development of public charity in postbiblical Judaism has been traced recently by Loewenberg, *From Charity to Social Justice: The Emergence of Communal Institutions for the Support of the Poor in Ancient Judaism.*

[36] See, for instance, Wilbur K. Jordan, *Philanthropy in England 1480–1660: A Study of the Changing Pattern of English Social Aspirations* (London, 1959), who downplays the role of public charity in the seventeenth century in favor of private charitable endowments; Slack, *Poverty and Policy in Tudor and Stuart England*, 168–69, who nuances the assumption of the replacement of the older, mostly voluntaristic, church- or privately based (including endowment) charity by the new, public, impersonal "poor law" system; and the evidence of letters of the needy in Sokoll, *Essex Pauper Letters*, which show much interpersonal interaction between the poor and poor-law overseers in late eighteenth- and early nineteenth-century England.

[37] Marcel Mauss, *The Gift: Forms and Function of Exchange in Archaic Societies*, trans. Ian Cunnison (London, 1954), 1. In Mauss's case study the obligation was the felt need to return what was once, or would in the future, be given in return in the calculus of gift-giving, or to repay (or secure) the favor of the gods. In the Jewish case, the giver looked forward to his return in the form of prayers and praise by the recipients of his benevolence.

[38] *Med. Soc.*, 2:104.

The Heqdesh and Public Charity

Often established or supported by deathbed declarations,[39] but also, in the manner of its Islamic counterpart, by healthy benefactors,[40] the Jewish pious foundation, called *heqdesh* (also *qodesh* in the Geniza, both words connoting "sacred"), functioned alongside and sometimes along with public charity. At its origins in biblical times, the heqdesh took the form of consecrated property donated for the upkeep of the Jerusalem Temple and its officials, including the purchase of sacrificial animals for the cult. In the postbiblical period its scope was extended to benefit the synagogue and the poor. A distinction between heqdesh and ṣedaqa was nonetheless recognized, for instance in the talmudic statement later codified by Maimonides: "The collectors of charity (*ṣedaqa*) are not required to give an account of the moneys entrusted to them for charity, nor the treasurers of the monies given to them for *heqdesh*."[41]

Moshe Gil has provided us with an excellent study of the institution of the pious foundation in the Geniza, which in some ways resembled the Islamic waqf (in Judaeo-Arabic the words *waqf* and another Islamic

[39] Bodl. MS Heb. f 56.129–30, ed. Gil, *Foundations*, 246–51: document regarding a waqf established "for the poor" in a will, whether by a healthy person or someone on his deathbed is not stated. TS 13 J 21.25, ed. Vaza, "Jewish Pious Foundations," 260–61: draft of a legal query about "a man on his deathbed who charges his executor to buy landed property worth 500 dinars, the proceeds of which are to be divided equally between the poor of his town and the family of his paternal uncle." Cf. *Med. Soc.*, 2:436, App. A 184; 13; TS 16.115, ed. S. Assaf, *Tarbiz* 9 (1937–38), 206–208; Gil, *Foundations*, 119–27; Rivlin, *Ha-yerusha*, 319–21: a will of 1006 by a woman, in which she gives 8/24ths of a compound she owns (excluding the land, which belongs to the ruler) to the heqdesh for the two synagogues in Fustat, four parts for the Babylonian and four for the Palestinian, in addition to allocations for certain individuals and for transporting her body after her death to Jerusalem; TS Misc. Box 28.79 no. 12, ed. Gershon Weiss, "Legal Documents Written by the Court Clerk Halfon ben Manasse (Dated 1100–38): A Study in the Diplomatics of the Cairo Geniza" (PhD diss., University of Pennsylvania, 1970), no. 175 and rev. ed. Vaza, "Jewish Pious Foundations," 180–81: will in which the testator instructs that his share in the rent of a house that he held in partnership with others should be spent in two equal parts, one on bread for the poor and the other on a person specified by name; cf. *Med. Soc.*, 2:436, App. A 180. Rambam 25, ed. Blau, 1:37–38 (no. 25): a traveler wills that if he dies, money he had invested with an agent should go "to the poor and the qodesh."

[40] Ibid., 2:371–73 (no. 201): a man gives a store as heqdesh (Arabic: *awqafa*), whose rent was to benefit scholars. TS 8 J 5.22v, *Med. Soc.*, 2:427, App. A 134 (ca. 1160): a woman donates one quarter of a house, which she held in partnership with another proprietor, "to the poor" (meaning the qodesh, or heqdesh) and one sixth to an individual, reserving the rent income on that sixth for herself until she died, after which it would belong to the giftee, his son, and his mother, and after they died, that too would go "to the poor." This recalls the practice in so many Islamic waqf deeds of positioning the poor at the end of the list of beneficiaries. For more examples of donations *inter vivos* see Gil, *Foundations,* 5–6.

[41] BT Bava Batra 9a. Maimonides, Mishneh Torah, Hilkhot mattenot ʿaniyyim 9:11.

term, *ḥabs*, plural *aḥbās*, were also used).[42] Apart from private charity, ever-present in Islamic society though largely elusive to the historian, waqf was the primary and certainly the most enduring insitutional vehicle for delivering charity in the Islamic world. Whether private or "semi-public" in origin ("semi-public" when endowed by a ruler), it was public in its goals of supporting communal institutions like mosques, hospitals, schools (and scholars), hostels for the indigent, as well as providing food, clothing, and burial for the poor.[43]

Though similar in essence to the Islamic institution, the Jewish heqdesh/waqf differed in some significant ways. One of these is the total absence in the Jewish case of any form of family waqf, later known as *waqf ahlī* in Islam.[44] The Jewish pious foundation in the Geniza, like the sanctified property of the Temple and of the synagogue in postbiblical times, was almost entirely in the service of the communal needs. A relatively small amount of foundation income, mostly rent or other revenue from properties endowed to the community, actually went to direct charity—distributions of food and other daily necessities to individuals. Using an extensive set of data from the late twelfth century, Gil calculated that only about 10 percent of heqdesh revenues benefited the poor directly. When we find administrative orders to pay needy people from foundation funds, it seems that this kind of allocation was irregular and needed special dispensation.[45] The vast majority of the income supported stipends or salaries for scholars and officials, as well as teachers of poor or orphaned children (76.3 percent), or maintenance of synagogues (about 14 percent).[46] The latter included oil for

[42] Gil, *Foundations* (147 documents). His student, Ora Vaza, prepared a supplement in her master's thesis, "The Jewish Pious Foundations," (83 additional documents). See also Ashtor, "Some Features," 75–78.

[43] Studies of the waqf are numerous. A excellent survey of the role of the pious foundation in charity in medieval Egypt is to be found in Sabra, *Poverty and Charity in Medieval Islam*, 69–100. Extremely important and useful, too, is Amīn, *Al-awqāf*. See also Robert McChesney, "Charity and Philanthropy in Islam: Institutionalizing the Call to Do Good" (Bloomington, 1995); Norman A. Stillman, "Waqf and the Ideology of Charity in Medieval Islam," in *Studies in Honour of Clifford Edmond Bosworth*, ed. I. A. Netton (Leiden, 2000), 1:357–72; and, on the early Ottoman period with specific reference to the endowed soup kitchen (*'imaret*), Singer, *Constructing Ottoman Beneficence*.

[44] Gil, *Foundations*, 36.

[45] TS Box K 25.240, no.15, and Bodl. MS Heb. d 68.101, ed. Ashtor, *Mamluks*, 3:10f; rev. ed. Gil, *Documents*, 477–78, both discussed above, chapter 2.

[46] Gil, *Foundations*, 117. When a question submitted to Maimonides mentions that some people dedicated a heqdesh stipulating in their will that its income should go "either for bread for the poor or oil (for the synagogue) or something else," one feels that the direct charity was considered somewhat unusual. Rambam 206, ed. Blau, 2:362. The distribution of rent income from a heqdesh (for scholars in this case) is described in another responsum (in the question) concerning "a man who endowed (*awqafa*) a store for the sake of scholars,

illumination.[47] This contrasts sharply with late medieval and early modern European Jewish communities, where the needs of the poor, particularly the sick poor, took priority over those of the synagogue in heqdesh allocations (sometimes administered by the community and sometimes privately by designated executors). In addition, other sources of charity that are not found in Egypt during our period, such as general and voluntary taxation, as well as confraternities, were also common in the European Jewish communities.[48]

If, as seems, in many respects the heqdesh in the Middle East stuck closer to its original, biblical purpose of upkeep of holy institutions and religious leaders, it would appear (though this needs to be thoroughly studied) that in Europe some transformation, perhaps influenced by local Christian models, occurred. Judah Galinsky suggests, for instance, that in Christian Spain Jewish foundations established through bequests of the deathly ill sometimes stipulated that the gift was "for the sake of my soul," similar to Christian language in charitable bequests "for the sake of the soul," though he notes, too, that the redemptive value of charity, facilitating entry into the world to come and escape from hell, is already found in the Talmud.[49] More research on the heqdesh in Europe will have to be done in order to fully understand the specific character of the institution in that setting.

To be sure, the Middle Eastern Jewish pattern was doubtless reinforced by the example of the Islamic waqf in its role as an instrument for build-

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the overseer being a certain 'Reuben.' He is the one who has been distributing its rent to the scholars year after year." Ibid., (no. 210). Persons receiving sums from the heqdesh, apparently as charity, are mentioned by Gil, *Foundations*, 110–16, and they include orphans, a widow, a porter, the divorcée of a shomer (supervisor of kosher meat), various other women, several captives, and some foreigners, to which can be added certain types of indirect charity in the form of maintenance of funduqs for foreign travelers and of a waqf property "for the Jerusalemites."

[47] A heqdesh for oil or for bread for the poor: Rambam 206, ed. Blau, 2:361–363. Heqdesh established for oil for the two synagogues in Fustat: Gil, *Foundations*, 217–19 (ca. 1095). People also made other contributions for oil: TS 10 K 20.1, ed. Mann, *Jews*, 2:291–92, *Med. Soc.*, 2:480, App. C 28 (1150s).

[48] See Salo W. Baron, *The Jewish Community: Its History and Structure to the American Revolution*, 3 vols. (Philadelphia, 1942), 2:327–30; Abraham A. Neuman, *The Jews in Spain: Their Social, Political and Cultural Life during the Middle Ages*, 2 vols. (Philadelphia, 1942), 2:166–67; Assis, "Welfare and Mutual Aid," 1:318–22. In the course of time heqdesh in Europe narrowed down its purposes to medical care, such that the word itself became synonymous with a (Jewish) hospital (see below). See also Jacob Rader Marcus, *Communal Sick Care in the German Ghetto* (1947; reprint Cincinnati, 1978). On the absence of taxation in the Geniza community and its presence in Europe, see also Ashtor, "Some Features," 71.

[49] Judah Galinsky, "'I Am Donating to Heaven for the Benefit of my Soul': Jewish Charitable Bequests and the *Hekdesh* Trust in the Rabbinic Responsa of Thirteenth-Century Spain," *The Journal of Interdisciplinary History*, 35:3 (Winter, 2005), 423–40.

ing and supporting mosques and schools and for subsidizing scholars. As Muḥammad Amīn observes, part of the motivation behind the great florescence of waqfs during the Mamluk period was the quest for prestige through the building and maintenance of religious institutions.[50] Similarly in the Egyptian Jewish case, some element of prestige was involved, as heqdeshim were commonly known by the name of their founders ("the house of al-Barqī," for instance)—a kind of "in memoriam."[51] There is another similarity that bears consideration. Whatever its designated purpose, waqf in Islam is in essence perceived as charity. It is called "permanent, or ongoing charity," *ṣadaqa jāriyya*, and, according to a famous ḥadīth, one of the very few achievements that outlive a man after he dies. Thus waqf deeds normally list the poor as ultimate beneficiaries after all others have become extinct.[52] The heqdesh, too, despite the low percentage of income going for direct charity, was conceived of as being devoted to the poor. That is why we find the heqdesh referred to by the alternate name of "the poor" or "for the poor" and why some heqdesh properties are called "property/compound of the poor."[53] One heqdesh in Fustat, "the compound of the Jerusalemites," was dedicated specifically for the benefit of the poor of the holy city.[54] We have earlier encountered letters regarding disbursements from this foundation to the poor of Jerusalem. This heqdesh, like foundation income allocated for the upkeep of the synagogue or to pay salaries of communal officials, certainly constituted a kind of charity.[55]

[50] Amīn, *Al-awqāf*, 133.

[51] See Gil's appendix on houses and their monthly revenues, *Foundations,* 485–509 (over one hundred of them).

[52] Amīn, *Al-awqāf*, 15–16, 133–34. The other two legacies are knowledge from which people benefit and a son who prays for him. A typical waqf deed contains a clause near the end: "for the Muslim *fuqarāʿ* and *masākīn* wherever they are or are found, as absolute public charity, be it food, provision of sweet water, Friday nights or other nights, ransoming of captives from the hands of the unbelievers, or payment of debts on behalf of a debtor" (ibid., 134). Apart from residuals, the surplus income of a waqf (i.e., while still applying to the stipulated beneficiaries) could likewise be designated for the needy.

[53] *Liʾl-ʿaniyyim* or *liʾl-masākīn*; *milk ʿaniyyei miṣrayim, dūr al-ʿaniyyim, rubʿ al-ʿaniyyim, al-rubʿ al-mawqūf bi-rasm al-ʿaniyyim* ("the compound dedicated as *waqf* for the sake of the poor"). In all cases, *ʿaniyyim* is synonymous with heqdesh. Gil, *Foundations*, 4. A heqdesh property, *rubʿ al-ʿaniyyim*, allegedly mismanaged by its overseer, is the subject of a question submitted to Maimonides, who calls it "money of the poor," *māl al-ʿaniyyim*, in his answer; Rambam 54, ed. Blau, 1:90. Fines payable to the heqdesh in case of breach of contract could be stipulated "qodesh for the poor (*li-ḍuʿafāʾ*) of the Rabbanites and the Karaites"; TS 13 J 6.33, line 10, ed. Friedman, *Ribbui nashim*, 68–71, or *la-ʿaniyyei miṣrayim*, "for the poor of Fustat." Gil, *Foundations*, 26.

[54] Gil, *Palestine*, 604–606.

[55] The eighteenth-century compilation *Meʿil ṣedaqa*, written in Ottoman Smyrna, has a very broad definition of charity, encompassing the variegated purposes covered by the Egyptian heqdesh and all other aspects of private and public charity in the Geniza (and more). See Cronbach, "The Meʿil Ẓedaḳah," 505–11.

At the same time, in these purposes the Geniza heqdesh echoes the ancient tradition of consecrating money for the welfare of holy places in the holy city.[56]

The occasional direct assistance for the needy falling within the purview of the Jewish pious foundations also included money for foreigners, hostels for travelers (though strictly speaking this could be construed as maintenance of public facilities), and cash to purchase food or clothing or, especially, to help with payment of the poll tax, a financial burden that, as we have seen, weighed heavily on those with limited incomes, especially the chronically poor.[57] That such kinds of direct charity were exceptional is confirmed by a very interesting document from the rabbinical court of Moses Maimonides. It authorizes an allocation from property "dedicated for the sake of the poor" (*al-mūqaf bi-rasm al-ʿaniyyim*) to pay the poll tax of Abraham b. Yaḥyā ha-Levi al-Najīb, a communal official known from other documents. The money is to be considered compensation for funds he was still owed for supervising the repairs of a funduq. Significantly, the legal document goes on to state: "This is a matter in which there is no harm; rather it is of great benefit (*manfaʿa*), to safeguard him from trouble caused by the poll tax." The court seems here to be taking cognizance of a general reluctance to use heqdesh income for direct charity. The judges rationalize why, in this case, for humane reasons, the hesitance to use heqdesh income for direct charity could and should be ignored.[58]

Tamḥui, Quppa, and the Foreign Poor

Vehicles other than the heqdesh stood available for direct, communal charity. In the talmudic period, two main public institutions for relieving poverty existed side by side. The quppa, literally, "basket," served the lo-

[56] Money sent from Fustat to the gaon of Jerusalem on behalf of the poor of the Holy City, for which the gaon sends thanks to the head of the Palestinian congregation, Ephraim b. Shemarya, might have come from the special heqdesh. If not, it represents an ad hoc collection, a pesiqa (see below). ENA 2804.1, ed. Mann, *Jews*, 2:115; rev. ed. Gil, *Ereṣ yisrael*, 2:52–54, cf. Bareket, *Yehudei miṣrayim,* 58.

[57] Money for foreigners: Gil, *Foundations*, 112; hostels: ibid., 114–15; food (mezonot): Bodl. MS Heb. f 56.59v, line 16, ed. Gil, *Foundations*, 351 (1183–84); clothing: ibid., f 56.60r, lines 2–3, ed. ibid.; poll tax: Gil, *Foundations*, 106–108; Rambam 341, ed. Blau, 2:613–14, cf. *Med. Soc.*, 2:133.

[58] DK 237b (DK XXI) (no date, but perhaps ca. 1185), ed. Gil, *Foundations*, 323–24 and 104 (my translation differs slightly from Gil's and my take on the significance of the rationale differs substantially from his, on p. 104); cf. also *Med. Soc.*, 2:419–20, App. A 41, with a different and imprecise interpretation. Another document possibly indicating the exceptionality of using the heqdesh for direct poor relief: *TS 8 J 37.11; see the commentary in Cohen, *Voice of the Poor in the Middle Ages*, no. 3.

cal, resident poor (*ʿaniyyei ha-ʿir*). Donors made cash gifts and the money was deployed by the community either directly to the poor for their expenses, or in the form of food or clothing purchased with the proceeds. Quppa disbursements could also include money for household furnishings and payment of government taxes. The distribution was made once a week, Friday, on the eve of the Sabbath.

The other entity, the tamḥui, literally "alms tray" (frequently rendered "soup-kitchen") was dedicated to "the poor of the whole world" *ʿaniyyei ʿolam*. It consisted of direct, daily food distributions mainly to wayfarers or other indigents from outside the city. Communal charity collectors gathered foodstuffs from donors and redistributed them on a daily basis. Foreigners could appear in town at any time and the community had to be prepared to feed them daily. Another procedure of the tamḥui may have entailed purchasing loaves of bread with monies donated for daily distribution to needy wayfarers.[59]

How did the quppa and tamḥui function in the Geniza period, several hundred years after the Talmud, and, in particular, was the distinction between aid for local and foreign poor still maintained? We are at first glance confronted with a mystery. Goitein writes that the term *quppa* is nearly absent from the Geniza and that it appears only in connection with Alexandria, representing a receptacle in which bread was collected for distribution to the poor (rather than small coins, which were scarce). He suggests that in this as in other ways, Alexandria followed an old Palestinian custom because, along with Jerusalem, it was part of the eastern provinces of the Roman Empire for centuries before the foundation of Islamic Fustat and later (New) Cairo. Quppa crops up also in a letter from the provincial town of Minyat Zifta addressed to the judge Elijah b. Zechariah, but in that communication the reference is to an actual alms box for weekly collections of money distributed to poor orphans, rather than to the institution of the alms dole. "Since we possess hundreds of records and letters referring to charity from [Fustat]," Goitein writes, "this can only mean that the institution characterized by that word did not exist there."[60] I should add that we find quppa in the generic sense of a container (of copper, for instance, or of flour), lacking all connection

[59] Zeev Safrai, *Ha-qehilla ha-yehudit be-ereṣ yisrael bi-tequfat ha-mishna veha-talmud* (The Jewish Community in Palestine during the Period of the Mishna and the Talmud) (Jerusalem, 1995), 64–67. Also Loewenberg, *From Charity to Social Justice*, 120–22.

[60] *Med. Soc.*, 2:104–105. Minyat Zifta: TS 8 J 17.6, lines 7–10, cf. *Med. Soc.*, 2:105–106. Apart from Alexandria and Minyat Zifta, the word *quppa* crops up elsewhere in the Mediterranean. For instance, a huge gift of two thousand dinars that was bequeathed to the poor through the *quppa shel ṣedaqa* by a man in Tunisia is reported in a letter from Tyre, Lebanon, that found its way into the Geniza. TS 10 J 12.25, ed. Assaf in *Yerushalayim*, ed. M. Ish-Shalom, M. Benayahu, A. Shohet (Jerusalem, 1953), 109; cf. *Med. Soc.*, 2:110.

with the charity quppa, which means, indeed, that it was the *institution* itself, not the *word*, that was "forgotten."[61]

The word *tamḥui* seems not to occur at all. I have not encountered it once in the approximately 890 documents underlying this study. Nor does it appear in the historical documents currently in the database of the Princeton Geniza Project.[62] On the other hand, the old rabbinic term *mezonot*, literally, "maintenance" (the root of the word means "to feed"), occurs frequently. In rabbinic times, mezonot encompassed maintenance for wives, children, orphans, widows, wives with absentee husbands, laborers, and even work animals. In the Geniza it encompasses a seemingly new and wider range of distributions, from food for the poor to contributions toward the salaries of (generally poorly paid) communal officials, such as cantors, teachers of poor children, and kosher meat inspectors. Goitein found the application of the word *mezonot* to food for the poor "strange."[63]

How shall we account for the absence of the words *quppa* and *tamḥui* in the myriad documents relating to charity in Fustat and the ubiquitous appearance of the term *mezonot* for the weekly food dole? The apparent nonexistence in the surrounding Muslim society of the equivalent of the famous soup kitchens (*ʿimarets*) of the later Ottoman period might have some relevance to the mysterious absence of the tamḥui in the Geniza world.[64] But other explanations must be also sought for the terminological enigma.

I believe the answer to this mystery follows from what I have discussed earlier regarding the foreign poor. The numbers of outsiders (*ʿaniyyei*

[61] Copper: TS 10 J 9.12, lines 11–12. Flour: TS 13 J 16.2v, line 9, ed. Gil, *Be-malkhut yishmael*, 4:583. Through the Bar Ilan data base, which lacks most of the responsa of the Babylonian Geonim, I found one reference to quppa and one to tamḥui in those sources, and one reference to quppa in the responsa of the North African, later Andalusian R. Isaac Alfasi (1013–1103), and none in the responsa of Maimonides' Andalusian predecessor R. Joseph ibn Megas (no references to tamḥui in either collection). The findings are not significant enough to draw any conclusions about how these institutions functioned in Babylonia in the period before the Geniza or in Maimonides' Spain.

[62] www.princeton.edu/~geniza.

[63] "[I]t seems strange that the collections for the semiweekly distributions of bread should have been called by this name." *Med. Soc.*, 2:544n25. One example from among many of this broadening of the meaning of *mezonot*, a tiny fragment of a list of distributions of cash to the needy (or salary supplementation to the poorly paid; two cantors are listed, for example), using Coptic numerals, as was common: "The elder Menaḥem, collector (*jābī*) of the *mezonot*: In his possession (a balance of) 4 3/4 (dirhems)." ENA NS 77.374. This fragment was unknown to Goitein, as it was only discovered in the late 1990s in a box of unconserved, crumpled fragments at the Jewish Theological Seminary.

[64] About the absence of the soup kitchen in the medieval Arab world, see Stillman, "Charity and Social Service in Medieval Islam," 111.

ʿ*olam* or ʿ*aniyyei* ʿ*ir aḥeret* in the language of the Talmud) in medieval Fustat were huge. It is abundantly clear from entries in the alms lists that, despite the halakha ranking "the poor of another town" below all others, foreigners, wayfarers, and immigrants benefited from the dole alongside the resident poor. There is an additional clue. Bread, the basic item of sustenance in the alms lists, was distributed not once but twice a week, the traditional Sabbath eve and also Tuesday. The twice-weekly distribution exceeded the schedule prescribed by the Talmud for quppa distributions to local indigents and it also contradicted the talmudic standard of food distribution through the tamḥui for foreigners on a daily basis. What was going on here?

Burdened with an especially large influx of foreign Jewish poor, the collection and distribution of charity was better served by a unified system than by two separate funds, one for the local needy and one for poor arrivals from the outside. Since the Talmud made a distinction that the Jews of Fustat no longer maintained, and neither rabbinic term was suitable to designate the unified system that existed, they simply did not use these words. Feeling a need for a term, however, they substituted the word *mezonot*, which was neutral and had no particular connection in rabbinic sources with either locals or newcomers. And it could be, and was, employed for multiple purposes.[65]

These data from the Geniza help elucidate some surprising features in Maimonides' codification of the laws of quppa and tamḥui in the Mishneh Torah, in chapter 9 of Hilkhot mattenot ʿaniyyim, "Gifts for the Poor." The sources for most of the halakhot in chapter 9 that deal with quppa or tamḥui can be located in more or less the same wording in one of the Talmuds, in the Mishna, or in the Tosefta. Not so the first three. The language and formulation of these introductory halakhot are patently of Maimonides' own invention. What do they say?

Here is how he defines *quppa* in the first halakha:

> In every city inhabited by Jews (Israelites), it is their duty to appoint from themselves well known and trustworthy persons to act as alms collectors, to go around *collecting from the people every Friday*. They should demand from each person what is proper for him to give and what he has been assessed for, and should *distribute the money every Friday*, giving each poor man maintenance (*mezonot*) sufficient for seven days. This is what is called "alms fund" (*quppa*). (9:1)

[65] Its use for "bread" for the poor might have lexical foundation in the passage from the Talmud quoted in chapter 2, "We examine before giving food but not before giving clothing," where *mezonot* is the word used for "food."

Maimonides could not abandon the word or the idea of the quppa even if the Jews of Fustat no longer practiced the old talmudic system. He was writing for all people and for all times. Moreover, contemporary communities such as nearby Alexandria still maintained the quppa. Yet there is something original here that alludes to local practice. Maimonides does *not* repeat here what the Talmud says, namely, that the quppa is reserved for local, resident poor. He delays that for later on (9:6), when actually quoting the Talmud.

Next, he defines *tamḥui*:

> They must similarly appoint collectors to *gather every day*, from each courtyard, bread and other eatables, fruits, or money from anyone who is willing to make a free-will offering at that time. They should *distribute these toward that same evening* among the poor, giving therefrom to each poor man his sustenance (*parnasato*) for the day. This is what is called "alms-tray" (*tamḥui*). (9:2)

Here, too, Maimonides omits something essential: the talmudic principle that tamḥui is dedicated to "the poor of the world," encompassing the foreign poor. If in these introductory halakhot the quppa and tamḥui do not have separate and distinct clientele, as they do in the Talmud, what is Maimonides saying?

Maimondes' formulation of the laws of quppa and tamḥui in the first two halakhot of chapter 9 contains strong hints of the unification of the two institutions in practice in medieval Fustat. Noteworthy, too, he uses the word *mezonot* to describe the quppa. This echoes the usage of *mezonot* in the Geniza lists to denote money for bread (the usage Goitein found "strange"). The association of the charity quppa with the term *mezonot* does not occur, as far as I have been able to determine, in the talmudic sources.

The nexus between halakha and contemporary practice glares out even more sharply in the third halakha in chapter 9, in an enigmatic and original comment that caused consternation to one of Maimonides' late medieval commentators. It makes sense, however, in the light of the Geniza evidence from everyday life. "We have neither seen nor heard of a Jewish (Israelite) community that does not have a *quppa*. As for the *tamḥui, there are some localities where it is customary to have it, and some where it is not*. The custom widespread today is for the collectors of the *quppa* to *go around every day, and to distribute every Friday*" (9:3).

The first sentence is often quoted with pride to prove how charitable Jewish communities have been throughout history. But the second sentence bothered Rabbi David ibn Abi Zimra (Radbaz), the Spanish exile who settled in Egypt and became chief rabbi of Cairo at the beginning of

the sixteenth century. In his commentary, printed in the margins of the standard edition of the Code, he writes, "This is the custom in our time. But I wonder who gave them permission to do away with the *tamḥui*, for it is written in the Mishna at the end of (Tractate) Peʾa and in a baraita at the beginning of Bava Batra and quoted elsewhere in several places in the Talmud. It is possible to explain this as follows: Because there is a baraita that says 'The townspeople are permitted to make *quppa* (funds) *tamḥui* (funds) and *tamḥui* (funds) *quppa* (funds),' they got into the habit of contributing to the *quppa* for the *tamḥui* and to make everything *quppa*."[66]

In his endeavor to justify Maimonides' enigmatic statement about the relationship between quppa and tamḥui, Radbaz found in the Talmud a halakhic dispensation—the permission to change the use of charity funds from one to the other—for a departure in practice from talmudic prescription that existed in Fustat at least five centuries before he arrived in Egypt. It is not unlikely that Maimonides interpreted the baraita the same way.[67]

A newcomer to Egypt, he found there a community where the tamḥui and quppa were merged into one unifed institution encompassing the functions that the two had fulfilled separately in talmudic times. He took cognizance of this consolidation in 9:1, when he omitted the essential talmudic principle that the quppa served the local poor. At the same time, he included the actual term used in Egypt, *mezonot*, in his original formulation. Finally, with due attention to the realities of Egypt, he added

[66] Radbaz ad loc. The baraita is quoted in Bava Batra 8b, and Rashi explains that permission to take from the quppa for the tamḥui is granted when the number of outsiders exceeds the number of local residents. Radbaz also noticed in Hilkhot mattenot ʿaniyyim 9:12 another discrepancy between Maimonides and the Talmud. He rules that thirty days residency in a town makes one liable to contribute to the quppa; three months, to the tamḥui. This is the reverse of what the Talmud says in Bava Batra 8a, at the very beginning of the long section on charity. Radbaz notes that another Andalusian authority, R. Isaac al-Fasi (d. 1103), assumes the same text as Maimonides in his own epitome of the Talmud, and that the Palestinian Talmud has it as well. He offers the opinion that the ruling sought to assure that there would be abundant food for the poor (the resident poor), "and it is for this reason that some places do not have the *tamḥui*." There is another nuance to be noted. In chapter 7:7, Maimonides adopts the Talmud's wording regarding the house-to-house beggar (*meḥazzer ʿal ha-petaḥim*), stipulating that "one is not obligated to give him a large gift, but only a small one" (from Bava Batra 9a). This passage in the Talmud was understood by most medieval commentators to refer to allocations from the quppa (see Rashi and other commentaries ad loc. in the standard printed Talmud with commentaries). Radbaz assumes a priori that Maimonides means just that, even though he left the detail out. Other commentators on Maimonides did not assume so and tried to interpret his omission in different ways. These debates are summarized by Joseph Kafaḥ in his own modern edition and commentary on the Mishneh Torah, Sefer Zeraʿim (Jerusalem, 1990), 242–43. Given what we have been saying here, it is not unlikely that Maimonides omitted the detail about quppa on purpose.

[67] Maimonides codifed the dispensation for interchanging charities in Mattenot ʿaniyyim 9:7.

something that would be confusing to anyone familiar with talmudic halakha (in 9:3): "The custom widespread today is for the collectors of the alms fund (*quppa*) to *go around every day*, and to *distribute every Friday*." This sentence in 9:3, however—combining wording from 9:1 about the quppa ("distribute the money every Friday") with wording from 9:2 regarding the tamḥui ("gather every day")—similarly reflects the merging of the quppa and tamḥui into a single institution.

Three halakhot later, in 9:6, Maimonides finally brings the actual rabbinic laws that distinguish the quppa from the tamḥui and in the exact order and in the same language they appear in the Talmud:[68] "Contributions to the *tamḥui* are to be collected every day, those for the *quppa* each Friday. The *tamḥui* is for the poor of the whole world, while the *quppa* is to provide for the poor of the town alone." Why doesn't he say this at the beginning? The very fact that he leaves this ruling out of the introductory halakhot, such that they do not appear until several halakhot later, shows again, I think, that the introductory halakhot reflect, not the talmudic halakha, but current practice in Fustat, where the old distinction between alms for locals and alms for foreigners was no longer maintained.[69]

In short, Maimonides' subtle "transformation" of the halakha of quppa and tamḥui at the beginning of chapter 9 in three original introductory halakhot nearly exactly reflects what we find in the Geniza documents, except that, in Fustat, as mentioned, distributions of bread were made on Tuesday as well as Friday. This, too, needs explanation. I suggest that this was a kind of compromise between the Talmud's once-a-week dole for the resident poor and the daily distribution to foreigners, who, in the extremely mobile Mediterranean society of the Geniza period, arrived in far greater numbers and far more frequently than in the talmudic period.

What we cannot know, however, is how early this consolidation of quppa and tamḥui, this departure from the talmudic system, took place. Did it begin early in the Islamic period, when Jews began to travel in the Near East and North Africa over much greater distances than during the talmudic period? Did the consolidation come about when the ratio of needy foreigners to needy local residents changed so drastically that the old system no longer made sense? Was the unified system already in place in Geonic Babylonia? Unfortunately there are very few Geonic sources on the subject of charity by which to judge. Was the unified system in place in Maimonides' Spain, so that what he found in Egypt was actually no

[68] In Bava Batra 8b.

[69] The possibility of merging the two may already be alluded to in the Talmud, in the story of the charity collector who kept one purse for both the foreign poor and local indigents and stipulated with the community that the money could be used for both. Bava Batra 8b–9a.

surprise? Unfortunately, the Geniza unveils its sources only in the eleventh century. We cannot know how things were before that time. All we can say is that Maimonides' Code shows awareness of this phenomenon in Fustat, and that his articulation of the laws of quppa and tamḥui strives to give it his approval.

Collectors

Who collected alms and how? To answer this question we have a great deal of useful information, including lists of solicitations, lists of contributions, accounts of expenditures for charity and other purposes, letters and documents concerning the pesiqa, or pledge drive, descriptions of intercommunal collections for ransom of captives, and information about the parnasim, the Jewish equivalents in this period of the overseers of the poor in early modern European countries.

We begin with the parnasim, for the Geniza gives us an unparalleled opportunity to envision how an institution mentioned in the Talmud functioned in real life, albeit several hundred years later.[70] Parnas, from a root meaning "to provide sustenance" (thought to derive from Syriac),[71] occurs first in postbiblical literature. In the Palestinian Talmud it denotes either the manager of the charity fund or the leader of a community, some of them laymen and some of them rabbis.[72] In the Babylonian Talmud these functions are differentiated terminologically. Parnas designates a communal leader (and so it did later on in medieval and early modern Europe), while a different term, *gabbai*, "collector," is employed for the supervisor of collections and distributions.[73] Characteristic of the fluidity of titles in the Geniza world, reflecting, in turn, a fluidity of functions, *parnas* occurs as an honorific attached to individuals who fulfilled various roles in communal life. While the use of *parnas* for head of a community is uncustomary in the Geniza, the designation is often found as a title of persons having some kind of communal authority, whether in the synagogue, the Jewish court, or over communal foundation properties,[74] as well as public charity. Further clouding precision, but nonetheless indicative

[70] The next section draws upon and supplements Goitein's sketch of the office of parnas in *Med. Soc.*, 2:77–82. See also Ashtor, "Some Features," 131–32.

[71] The word, *parnasā*, means "administrator, provider" in Syriac; Louis Costaz, *Dictionnaire Syriaque-Français, Syriac-English Dictionary*, 2nd ed. (Beirut, 1986), cols. 288–89. The suggestion that it comes from Latin *pensum,* "ration, allocation," seems less likely.

[72] Lee I. Levine, *The Rabbinic Class of Roman Palestine in Late Antiquity* (Jerusalem and New York, 1989), 162–65.

[73] An old article by Yakov Nacht, "The Parnas in Jewish Life" (in Hebrew), *Sinai* 12 (1943), 263–82, deals with the parnas only as a communal leader.

[74] This aspect of the responsibilities of the parnas is discussed in Gil, *Foundations*, 47–52.

of the informalism with which that society operated, the Arabic cognate for the Hebrew *gabbai*—*jābī*—occurs regularly in accounts of revenues collected and redistributed as alms or salaries. "Collector" in these instances is often used in the simple functional sense, the name *parnas* perhaps being reserved for officials with broader authority. But "collector" also appears as a proper title, evidently where persons, even parnasim, fulfilled the function of collector so regularly (perhaps mainly) that they could be called by that tag independently.[75]

The two best-known social-welfare officials in our period, Eli ha-Kohen b. Yaḥyā, and ʿUlla ha-Levi b. Joseph, whose combined period of activity stretched from the middle of the eleventh century through the second decade of the twelfth, are called *parnas* in correspondence—clearly both a title and an office in their case. They were prominent notables, intimately involved in communal politics.[76] Many other parnasim are mentioned, but the data for them is abundant.[77]

The Babylonian Talmud legislates that alms be collected by two persons and distributed to the poor by three.[78] The Palestinian Talmud prescribes *no fewer* than three (parnasim) for the administration of the quppa in general.[79] In medieval Fustat each congregation had several.[80] This was a sign of the enormity of the task of administering poor relief. Dividing up the responsibility of collecting money and spending it on alms, collectors often changed from one week to the next, and as many

[75] "The collector Maḥāsin, the beadle": TS NS J 251, line 12, *Med. Soc.*, 2:461, App. B 77 (1200–40); "collector: the circumciser" (evidently a collection for the poor taken up at this joyous occasion): TS NS J 438r, right-hand page, line 2. Abuʾl-Bayān b. Abū Naṣr al-Ḥalabī ("originating from Aleppo"), for whom we have several documents dated between 1180 and 1184, was called sometimes "collector" and sometimes *parnas,* even both in one and the same document. See documents 73, 81–91, in Gil, *Foundations*, corresponding to Appendixes 101 and 25–36, in Goitein, *Med. Soc.* vol. 2. In CUL 1080 J 10, ed. Gil, *Foundations*, 313–14 (no. 73), he is called "the collector" and he makes an agreement with an Abuʾl-Faḍl "the parnas" (August 1180). In a legal document, a collector of alms for the poor called *al-parnas al-jābī*, who was in charge of the residence (*rubʿ*) designated for the poor of Fustat, is mentioned: TS NS J 33, line 9 (1238). See also Gil, *Foundations*, 50–51. A physician as "collector" at the head of a list of weekly payroll for communal officials and payments to others: TS Box K 15.63, lines 1–2, *Med. Soc.*, 2:451, App. B 42 (1210–25).

[76] *Med. Soc.*, 2:78. On Eli, see Cohen, *Jewish Self-Government*, 110–13; ʿUlla, see ibid., 285. A sign of his stature, Eli was designated power of attorney to represent a prominent merchant in a business dispute; see Mark R. Cohen, "A Partnership Gone Bad: A Letter and a Power of Attorney from the Cairo Geniza, 1085," in the Sasson Somekh Festschrift, eds. David Wasserstein and Mahmud Ghanaim, forthcoming.

[77] See, for instance, Elinoar Bareket, "Abraham the Parnas b. Mevasser" (in Hebrew), *Peʿamim* 54 (1993), 93–102.

[78] Bava Batra 8b.

[79] PT Peʾa 8:6, 21a.

[80] *Med. Soc.*, 2:79.

as seven persons are listed as sharing the task of collecting pledges in a list evidently from the middle of the eleventh century.[81] A fascinating letter describes a lottery to choose parnasim for the weekly alms collection and prescribes a ban on anyone refusing to answer the call. But this missive emanates from the late thirteenth or fourteenth century, a time when poverty had increased even more owing to general economic decline and other factors. The resort to lottery may reflect a time when the burden on the parnasim was particularly heavy and parnasim did not rush to volunteer.[82]

Parnasim sometimes enlisted the aid of other communal officials. A letter of appointment for the beadle of the synagogue of the Iraqi Jews, dated June 1099, indicates that he was to assist the parnas with the collection of bread on Friday eve and other nights, when the parnas made the rounds, evidently of private homes, gathering loaves of bread to supplement those baked by the bakers.[83]

Detailed accounts, sometimes difficult to interpret (or even decipher), show how the parnasim and "collectors" (sometimes one and the same person) took in sums of money donated for charitable and other purposes and administered their disbursement. There was no unified treasury. Rather individual collectors held onto funds until distribution time and maintained written accounts of revenues and disbursements. To our good fortune, many of these accounts ended up in the Geniza.[84] One such group of documents, from the beginning of the thirteenth century, does not consist of charity accounts per se, but of general registers of community expenditures—Goitein calls them "payrolls."[85] Divided into weeks—

[81] One week to the next: e.g., in the list CUL Or 1080 J 46, *Med. Soc.*, 2:453, App. B 51 (1240–50) and ibid., 2:79; seven collectors: TS Box K 15.109, *Med. Soc.*, 2:476, App. C 13, a list Goitein thinks may refer to a community other than Fustat. Generally, revenue collecting and distribution are designated, respectively, by the Arabic *ḥaṣala/taḥaṣṣala* and *farraqa* (*tafriqa*), as for example in the tiny fragment ENA NS 77.209v, lines 2–3. A legal document attests that a certain perfumer had served as a collector during a week in December 1161. Perhaps someone had accused him of shirking his duty. *BM Or 5542.3, *Med. Soc.*, 2:498, App. C 81 (wrongly cited as fol. 34). For a different interpretation, also possible, see *Med. Soc.*, 2:102.

[82] TS Box J 2.25, *Med. Soc.*, 2:503, App. C 118.

[83] TS 8 J 4.9d, lines 15–16, ed. Goitein, *Eretz-Israel* 7 (1964), 93–94. The beadle, known from another letter to have been in the habit of lording it over others (Cohen, *Jewish Self-Government*, 255), was probably reluctant to aid the parnas, whose office ranked lower than his in people's eyes, so this duty, which is added at the end, as an afterthought, had to be formulated this way: "He shall not oppose (helping) the parnas Eli ha-Kohen in collecting bread on Sabbath eves and other times." On the beadle as assistant to the parnas, see also Gil, *Foundations*, 54.

[84] Goitein found one document headed "treasury," *khizāna*, but from a very late period, 1516. ENA 1822A.65, cf. *Med. Soc.*, 2:101 and 543n29.

[85] See *Med. Soc.*, 2:450–51, Apps. B 40–43.

identified, as traditionally, by the Torah portion being read on the following Sabbath—they encompass outlays for bread, for other specified eleemosynary purposes (e.g., to subsidize a poll-tax payment), monies given to named (and presumably needy) individuals (e.g., "the foreigner," "the sick Alexandrian"), allocations for institutional expenses like the shrine at Dammūh, or for religious supplies like raisins to make wine for the synagogues, as well as sums paid to communal officials, representing their salaries or perhaps their share of the weekly proceeds applicable to salaries. Total expenditures and balances remaining to be used the following week are carefully noted.

In a typical example (from the beginning of the thirteenth century), the sums (in dirhems) spent for bread weekly, often the first item recorded, vary, for instance, 22 1/4, 29, 30, 30 1/2, 32 1/2, 32 3/4, 33 1/4.[86] Other lists from the very same period of time record sums as small as 14 1/2.[87] When we recall that normally one dirhem could buy around five loaves, we are probably not talking about the full weekly bread budget, but rather the amount of the weekly revenue collected by the official in question that was to be alloted to that item. Collections by other welfare officials doubtless went into the mix, as did distributions of wheat and direct cash payments to needy persons, though these two types of charity were probably doled out on an occasional rather than a regular, weekly basis.[88] In addition, the community sometimes received large, dedicated donations for bread from wealthy individuals.[89] One example has been found of contributions of loaves of bread, rather than donations of cash to buy bread. This may refer to Alexandria, where, as we have seen, the classic quppa (or at least its name) seems still to have been in use.[90]

Parnasim and other officials involved in public charity took similar care monitoring the doles. Particularly important because they reveal the

[86] TS Box K 15.90, *Med Soc.*, 2:450, App. B 40 (1210–25). "The foreigner," verso, left-hand page, line 19; "the sick Alexandrian," recto, left-hand page, line 28. An alternate method of recording was to give the amount of bread, typically the round figure of 1 qinṭār, that is 100 one-pound loaves, with the total price. Example TS Box K 15.25, lines 4–5: one qinṭār of bread costing 31 1/4 dirhems, or .31 dirhems per loaf, more expensive than the normal .20 per loaf.

[87] TS Box K 15.63, line 4, *Med. Soc.*, 2:451, App. B 42 (1210–25).

[88] On cash payments see *Med. Soc.*, 2:134–35. An example of a register of cash contributions to the needy, ENA 2713.26, *Med. Soc.*, 2:439, App. B 2b (1020–40), which Goitein assumes to have taken place on the occasion of a holiday. In a distribution of cash, from 1182, nine persons received five (dirhems), eight received three, one, two—eighteen people in total, all women except for three men. Of the women, six are identified as widows, one a divorcée, two as foreigners (one of these, a young girl). One of the three men is a banker (*ṣayrafī*)—rare for an alms recipient. TS 8 J 5.14b, *Med. Soc.*, 2:448–49, App. B 36 (1183).

[89] *TS Box K 15.5, *Med. Soc.*, 2:443, App. B 19 (ca. 1107), where the nagid donates three dinars to defray the cost of a distribution of six hundred loaves.

[90] *ENA 2727.22, *Med. Soc.*, 2:491–92, App. C 53 (ca. 1230?).

active role of the head of the Jews himself in the charitable enterprise are notations such as "for Sitt Masʿūd, by order of our lord (the nagid Abraham Maimonides)."[91] The fascinating short instructions about charity disbursements in this nagid's handwriting cited several times in this book further illustrate this activity.[92] We have a letter from a man from Alexandria who was forced to flee to Fustat because he had been asked to pay the poll tax for his little boy and couldn't find employment. He asks the nagid Abraham to instruct R. Elijah the judge to give him something for his son. On the reverse side the nagid instructs Elijah to give them "mezonot bread" for the Sabbath.[93] In Abraham Maimonides we appear to have an example from everyday life in Egypt of that "great sage whose judgment determines all collections and who distributes them to the poor as he sees fit" described on the basis of the Talmud by Maimonides in his Code.[94] His activities, like those of other heads of the Jews as well as the parnasim, constitute a distant mirror of the Poor Law administrators in early modern England.

Since the social-welfare officials handled large sums of public money, they needed to be men of unimpeachable probity. The Talmud prescribes regulations for their conduct designed to protect them from suspicion of wrongdoing.[95] Since a parnas might also be in charge of endowed, communal properties (foundations), he often held the additional title, "Trustee of the Court," in which capacity he wrote and signed entries in record books of the court, acted as a signatory on legal documents, held deposits of insolvent debtors, disbursed monies of traveling husbands to support their families during their absence, paid allotments due to divorced wives to support their small children, and supervised estates of orphans of foreigners who died in distant places. The parnasim Eli b. Yaḥyā and ʿUlla ha-Levi b. Joseph both held the additional title "Trustee of the Court," and indeed their names occur as signatories on countless legal documents.

Parnasim were chosen from the well-to-do laity—businessmen and merchants—who devoted part of their time to public duties, another reason for the multiplication of holders of this office. With large communities of

[91] TS Box K 15.90v, left-hand page, line 36, *Med Soc.*, 2:450, App. B 40 (1210–25) (see above, note 86). Elsewhere on the same list, "the sick Alexandrian, by order of our lord," recto, left-hand page, line 28.

[92] TS Box K 25.240, *Med. Soc.*, 2:449–50, App. B 39b.

[93] TS Arabic Box 30.163, *Med. Soc.*, 2:466, App. B 104.

[94] Hilkhot mattenot ʿaniyyim 9:7, apparently based on the Talmud, Megilla 17b, top, regarding the *ḥever ʿir* in charge of a town, who exercises prerogatives in charity administration.

[95] Bava Batra 9a. Similarly, the charity overseers in old-regime Aix-en-Provence were chosen from among "the gentilhomme, the avocat, the most substantial merchants and bourgeoisie. . . . They had by definition the qualities of honor, probity, and disinterested concern for public welfare thought necessary in rectors." Fairchilds, *Poverty and Charity in Aix-en-Provence, 1640–1789*, 39.

foreigners arriving in Fustat, we find parnasim for separate immigrant groups, for instance, from Rūm and from Crete. These men were especially familiar with the needs of the indigents they helped, spoke their language if they were non-Arabic speakers, and could more easily than others make adjustments to their household rations and attend to their needs. The parnasim were generally appointed by a local judge or community executive. Until the middle of the twelfth century, parnasim seem to have received no payment for their work, but after that time there is some indication that they occasionally received salaries.[96] Goitein speculates that the shift may have resulted from growing poverty in the latter part of the classical Geniza period. It is also reminiscent of the Qurʾānic inclusion of alms distributors among those eligible for zakāt (Sura 9:60).

Administering Poor Relief

Tiny details in the documents, easily passed over but nonetheless significant, attest to a careful system of poor relief administration by the collectors and parnasim. When we observe, for instance, that the number of loaves of bread for the same individual differs in different lists, we understand that allocations were adjusted in accordance with changing circumstances. Altered figures in entries on one and the same list, as well as revised totals at the bottom of columns of names, show that adjustments were made as people came to collect rations previously designated for them.[97] The totals shown at ends of columns do not always equal the computed sum, which usually means that part of the list is missing, either torn away or on a page that is missing. When we find at the end of a column of names one figure and another larger sum below that, the second represents a grand total, summing up two or more pages of entries, some of which may be lost (sometimes this figure is labeled *al-jumla*, "total").

[96] E.g., TS Box K 15.2v, left-hand page, line 17, *Med. Soc.*, 2:451, App. B 43 (1210–23), accounts combining expenditures on the poor and on communal officials. In a list of expenditures, mostly for charitable purposes, allocated from money that he himself collected, Abuʾl-Bayān receives clothing "for his own allocation" (*ʿan rasmihi*): TS Box K 15.13c, lines 10–11, ed. Gil, *Foundations*, 358 (no. 90) (1183), *Med. Soc.*, 2:418, App. A 34.

[97] E.g., *TS Box J 1.4, many times, *Med. Soc.*, 2:443, App. B 23 (ca. 1107). Revised total: recto, right-hand page, bottom, from 159 to 163, corresponding to four individual, upward adjustments in the same column adding up to 4 loaves. Another revised total, verso, left-hand page, bottom, from 79 to 87. This case is interesting because it reveals new people showing up at the last moment. Originally a list was compiled, of Rūm (Jews from Byzantium), each name with a ration. The first total was recorded. New people were subsequently added above that number (4 Rūm, allocated a total of 8 loaves), the first total was crossed out, and the new total written below it. With foreigners, this kind of on-the-spot adjustment would not have been unusual, since their need might not have been known. Here even the newcomers' names were not known. The totals are subtotals. A grand total of "503 loaves" is recorded below the number 87.

In both alms lists and donor lists, names are often crossed out, either by a stroke or by overlining. We may surmise that these people had already collected their due, or had left town, or no longer needed assistance, or, in the case of donors, had paid their pledges. The ubiquitous entry, "known by X," and the notation "should be investigated" found in two small fragments discussed in chapter 2 mirror a system of verification that helped the parnasim do their job and watch the budget.[98] Notations like "died," "absent," "leaving," "recovering," or "note from the rayyis (the head of the Jews): this man should not receive anything," all appearing on one particularly long register of recipients of wheat dating from the first half of the twelfth century, similarly attest to meticulous oversight by poor-relief administrators.[99] They might even add day-old loaves of bread to the total, presumably if the bakers did not bake enough fresh.[100]

Sometimes one finds the final letter "m" in alms lists, usually the Hebrew character but sometimes the Arabic one, presumably abbreviating Arabic *tasallam*, "received." (Arabic abbreviations use final letters).[101] I have also found the Hebrew "s," presumably *sallam*, "paid," next to the names of donors.[102] Fractions are indicated both in alms lists and in donor lists, referring to both money and food. Sometimes scribes used Arabic letters or words (*r* = *rubʿ* for 1/4; *niṣf* for 1/2; *niṣf wa-rubʿ* for 3/4), sometimes Coptic symbols. Coptic numerals are often used for large numbers and even for small amounts because the Coptic system is more flexible for addition than the cumbersome Hebrew system of using letters to designate numbers. A list of prospective donors shows most of the numbers (some of them Coptic) to have been added above the name or in the space after it and in a different ink color, which means either that someone took the list and then rated those individuals, or their contributions were entered when they were made. The names crossed out, we may assume, are of people who had paid up their pledges.[103] All these minutiae, and more, reflect a complex and careful system of administration,

[98] See chapter 2.

[99] TS Misc. Box 28.184, *Med. Soc.*, 2:457–58, App. B 66 (1100–50).

[100] *TS Box K 15.39, *Med. Soc.*, 2:443, App. B 21 (1107): "Four hundred ninety pounds, numbering five hundred thirty-nine (loaves) from Maʿālī the baker, to which were added ten making five hundred pounds, ten being old loa[ves]." This confirms, incidentally, what one would expect, that normally, freshly baked bread was consumed daily, since it got stale quickly, as today wherever preservatives are not used.

[101] The Arabic final *m*: *TS Box K 15.48, *Med. Soc.*, 2:444, App. B 25 (1100–40).

[102] TS NS J 205, *Med. Soc.*, 2:496–97, App. C 70 (fourteenth century). The letters, in the right margin, are in a more faded ink. Goitein did not note this feature. On the other side of the page a different method is used (noted by Goitein): the word "received" (*al-maqbūḍ*) at the top, applying to the whole list, mostly different names from recto. All numerals are Coptic.

[103] TS AS 145.9.

necessary in any regime of public charity, whether in the Jewish community of Fatimid-Ayyubid Egypt or in England during the era of the Poor Laws. The Geniza lists, coming from a much earlier period of time, form an important source, therefore, not only for Jewish history, but also for the comparative and cross-cultural history of poverty and charity in the widest sense.

Revenues

Collections for the Mezonot

Turning now to revenues and how collections for public charity were organized, we find the same variety that existed in other aspects of the mixed economy of Jewish social welfare. Food for the poor (in practice, money to buy bread) was called *mezonot*, "maintenance," though, as mentioned above, the word was used as well for other kinds of maintenance and for purposes other than the poor dole, such as child support for orphans and salaries of communal officials. Many a list leads off with the words "collector of the mezonot" for that week, followed by the person's name, the amount of money or wheat collected, sometimes a balance from a preceding week, and then the names of donors with their pledges or payments. Some lists include paid-up pledges or pledges that were paid with transfers of debt. Other mezonot lists record expenditures for bread for the needy or salary installments for officials, sometimes for both in the same account, apparently a sign that there was a surplus after the bakers were paid for the bread they baked.[104] Collections for these multiple purposes were usually made in the synagogue, which was the natural place for this fundamentally religious and communal undertaking. The synagogue is also where letters of appeal to the community,

[104] Paid-up pledges and transfers of debt: TS Arabic Box 54.59, *Med. Soc.*, 2:488, App. C 45, (first part of thirteenth century). Surplus: *Med. Soc.*, 2:108. Other examples of lists: bread plus payments to officials (also special allocations by the nagid [Abraham Maimonides] to a foreign scholar and to Byzantine Jews, refugees from the Latin conquest of Constantinople in 1204): BM Or 5566 C.2, *Med. Soc.*, 2:462, App. B 79 (1200–40); list with mainly payments to officials: TS Box K 15.25, *Med. Soc.*, 2:453, App. B 50 (1241). These two lists are for one week only; others show numerous consecutive weeks. A note from Abraham Maimonides instructs the judge R. Elijah to provide a needy man and his son, in flight from the poll-tax collector in Alexandria, "with *mezonot* bread (*khubz al-mezonot*) to last them through the Sabbath": TS Arabic Box 30.163v, *Med. Soc.*, 2:466, App. B 104 (1200–40). A large number of accounts from around this time are written by the court clerk, elementary school teacher, and cantor, Solomon son of the judge Elijah. They nicely illustrate the system of disbursements of mezonot, and they include salaries for communal officials (called *rusūm*) as well as a global figure for bread for the poor (*khubz*) and even alms for needy individuals. Cf. *Med. Soc.*, 2:94 and 542n3.

whether from indigents or from others writing on their behalf, were read aloud.[105]

There still remained the question whether use of charity revenues to pay communal officials was actually permissible by talmudic law. R. Joseph ibn Megas (d. 1141), the teacher of Maimonides' father in Spain, had ruled vociferously against diverting funds for the poor to any other purpose. Maimonides, who revered Ibn Megas and generally adopted his interpretations and opinions in the Code, uncharacteristically departed from him in this matter. He adapted the old talmudic law (Bava Batra 8b) permitting transfer of funds between the quppa and tamḥui and changing their use "for whatever they wish." He modified the statement by the addition of two significant words at the end—*mi-ṣorkhei ṣibbur*, "needs of the community." With this slight expansion, the halakha now read "the townspeople are permitted to make *quppa* (funds) *tamḥui* (funds) and *tamḥui* (funds) *quppa* (funds) and to change its use for any need of the community they wish." Further, drawing on a talmudic story in the same section of Bava Batra to give weight to his disagreement with Ibn Megas, he added: "if there is in the city a great sage, whose judgment determines all collections and who distributes them to the poor as he sees fit, he is permitted to change their use for any need of the community he sees fit."[106]

I believe that Maimonides' dissent from Ibn Megas, and his change of the talmudic language to make use of charity funds for salaries unambiguously permissible, represents a response to local practice. With the unification of the quppa and the tamḥui into a single system of revenues and disbursements, the conception of those two institutions as being

[105] *Med. Soc.,* 5:93. A list of pledges followed at the bottom by a line, then the words "(In the Synagogue of) the Palestinians, B," where B (the Hebrew letter for the number 2) doubtless stands for Monday, the second day of the week, when a larger than usual congregation gathered for the reading of the Torah. TS NS J 400, *Med. Soc.*, 2:475, App. C 10 (first half of eleventh century). A letter requesting assistance from the community of Fustat has, added in the margin, the note: "The cantor shall read this letter to the congregation." ENA 1822A.52, cf. *Med. Soc.*, 2:107. Goitein speculates that the strange functionary, called in Hebrew *mashmīʿa*, might have been a person who announced pledges publicly in the synagogue. *Med. Soc.*, 2:87. In TS 12.266, in the margin, regards are sent to a mashmīʿa who is also a cantor.

[106] Maimonides: Hilkhot mattenot ʿaniyyim 9:7; cf. in the Talmud, Bava Batra 8b. R. Joseph ibn Megas: *Ḥiddushei Ha-RI Megas le-masekhet Bava Batra*, ed. Moshe Shemuel Shapira, 2nd ed. (Benei Berak, 1979), 7b. Rabbenu Tam in France (d. 1171) allowed using such funds to contribute toward the salary of the city watchmen. Tosafot to BT Bava Batra 8b. For these and other opinions about changing the use of charity funds, see Hellinger, "Charity in Talmudic and Rabbinic Literature," 218–39. Maimonides' expansion of the talmudic law was commented on by Aharon Nahalon in his essay, "Local Legislation and Independent Local Leadership according to Maimonides," 168–69, but in a different context and for a different purpose. On "mixing of charities" and the use of money of the poor for other purposes, see the discussion in *Med. Soc.*, 2:101. For Maimonides' dependence on Ibn Megas in the Code, see Twersky, *Introduction to the Code of Maimonides*, 7–9, 160.

reserved exclusively for the poor was also lost. Monies collected were deployed for many "needs of the community," of which alms for the poor was just one. Salaries for servants of the community were also included. Maimonides simply put his imprimatur on existing practice.

The Pesiqa

An important source of revenue, about which we have already heard several times, was the pesiqa, an old institution, or rather mode of giving, that illustrates how the boundaries between public and private charity could often be blurred. The Hebrew word, especially its verbal form, *pasaq*, can have different meanings: "to stop," "to interrupt," "to give judgment," "to recite a verse from Scripture," and also "to allocate." It is in this latter meaning that *pesiqa*, as a noun meaning "pledge drive," appears frequently in our documents.[107] We even find the phrase *pesiqat ṣedaqa*.[108] The act of making a pesiqa was called, in Arabic, "putting one's name" on a list. We have many of these. The pesiqa was a vow, with all the religious obligations entailed in vows in Judaism.[109] We may imagine that Maimonides, who himself organized many of these pesiqot in Egypt, had them in mind at the beginning of chapter 8 of his laws of charity in the Mishneh Torah when he wrote as his topic sentence a statement found nowhere in this form in talmudic literature: "Almsgiving is included in the category of vows."[110]

[107] The verb *pasaq* occurs in early rabbinic literature in the sense of "allocating" money, though rarely as a substantive, *pesiqa*. The latter, alongside the verbal form, occurs in a story about a pledge drive on behalf of a rabbinic school in Tiberias in the early Palestinian midrash, Vayiqra Rabba 5:4, ed. Margoliot, vol. 1 (Jerusalem, 1953), 113–14. See also Burton L. Visotzky, *Golden Bells and Pomegranates: Studies in Midrash Leviticus Rabbah* (Tübingen, 2003), 125, n. 24.

[108] *Pesiqa* occurs in over two dozen different documents (letters and lists). *Pesiqat ṣedaqa*: *TS NS J 389, line 10, *Med. Soc.*, 2:500, App. C 90.

[109] E.g., TS 8 J 16.13, line 13, and verso, line 2, *Med. Soc.*, 2:499, App. C 84 and ibid., 106 and 544n9; *TS Box K 15.16, *Med. Soc.*, 2:495, App. C 65. TS 13 J 20.24, line 8: *(u)smuw lahu 40 dirham*, "pledge for him 40 dirhems" (a needy French rabbi in the Egyptian town of Bilbays); cf. *Med. Soc.*, 2:122. See also ibid. 2:544n9, apropos TS 8 J 16.13, "On the Day of Atonement they made pledges for a collection (*asmaw pesiqa*) which became a vow (*neder*) incumbent upon them." Or the letter of appeal stating "I hope you will make a vow on my behalf in this tribulation," ENA 2808.23, line 11. TS 16.241 contains a legal query and answer regarding a vow (neder) to the poor, where the person does not know if he has properly or totally fulfilled it. The answer is he should consider every charitable gift he makes as going toward fulfilling the vow, excluding outfitting his daughter for marriage or feeding his young son or buying something from the poor. In a short note two "elders" are requested to pay a notable a dinar, which they had pledged (*asmawhu*) for the first installment of the poll tax, to be used for the poll tax of a cantor. *Mosseri L 129.1 (II 127.1), cf. *Med. Soc.*, 5:511n80.

[110] Mishneh Torah, Hilkhot mattenot ʿaniyyim 8:1. The sixteenth-century commentators on the code connected Maimonides' statement with the Babylonian Talmud, Rosh ha-Shana 6a

What distinguished the pesiqa from the communal mezonot collections is that it was mostly ad hoc, which made it serviceable for private as well as public charity. Cases so far discussed illustrate this diversity: a circular appeal for pledges toward the ransom of captives supervised by Maimonides and a countrywide pledge drive for the ransom of captives that raised 225 3/8 dinars from ten Lower Egyptian provincial communities and two notables during the time of the nagid Samuel b. Hananya;[111] a pesiqa to rescue an individual from debtor's prison;[112] a pesiqa to assist a foreign indigent;[113] and a pesiqa for an individual that had not yet been paid up.[114] To this we may add: (1) pledges made at a wedding, doubtless for the poor of the community; (2) a request by a blind man for a pesiqa for his family; (3) a record of donations promised for the Passover holiday; (4) a pesiqa for the sick poor of Tiberias, Palestine, that is, lepers who sought cure for their disease in the hot springs of that city; (5) a pesiqa for the poor of Jerusalem, used to buy the wheat for Passover; (6) lists of contributors headed *thabat al-pesiqa*, "roster for the *pesiqa*"; (7) and a reference in an account to "what was collected from the community for the *pesiqa* for clothing."[115] When a chronically ill cantor in a provincial community says in a letter applying to the head of the Jews of Egypt (the nasi David b. Daniel) for a raise, "I possess no money except what I receive every Monday in the synagogue," this was probably also part of the pesiqa system, though the writer does not use the term (he didn't need to, since the system was so well known). It constituted a component of his salary coming from donations pledged by the community.[116]

(see also ʿArakhin 6a), but the exact formulation employed by Maimonides is not found in either place. European responsa later than Maimonides repeat his words (e.g., B. M. Lewin, ed., *Oṣar ha-geonim* vol. 11 [Jerusalem, 1942], 1), but I did not find the statement in a search of the gaonic literature presently stored in the Bar-Ilan data base. Maimonides' emphasis in featuring this as the lead sentence in a chapter that deals not only with vows but also with ransom of captives, a charity organized through pledge drives, underscores the importance of the pesiqa in the Egypt of his time.

[111] Chapter 3 at notes 25 and 28.

[112] Chapter 4 at note 27.

[113] Chapter 2 at note 88.

[114] Chapter 6 at note 53.

[115] Wedding: *TS Box K 15.16, *Med. Soc.*, 2:495, App. C 65. Blind man: TS 8 J 16.29, ed. Scheiber, *Geniza Studies*, 78–79; donations for Passover (called *pesiqat pesaḥ*): Westminster College, Arabica 1:28v, *Med. Soc.*, 2:465, App. B 99 (1200–40); Tiberias: Westminster College, Misc. 25, line 31, ed. Gil, *Ereṣ yisrael*, 2:461–63 (ca. 1034) (more on the lepers of Tiberias in Gil, *Palestine*, 183–85), also Mann *Jews*, 1:166–69 and 2:192–98; wheat for the poor of Jerusalem: ENA NS 18.38, ed. Gil, *Ereṣ yisrael*, 3:44–45; *Thabat al-pesiqa*: ENA 3846.6–7, *Med. Soc.*, 2:503, App. C 119 and ENA 4100.9c. Pesiqa for clothing: ENA NS 28.15v, line 5, ed. Vaza, "Jewish Pious Foundations," 219–21.

[116] TS 8 J 15.3, lines 13–14, cf. *Med. Soc.*, 2:109 and 5:108; between 1082 and ca. 1091, cf. Cohen, *Jewish Self-Government*, chapter 5.

Since pesiqa pledges were frequently taken in the synagogue on the Sabbath or a festival, when the declarations could not be immediately recorded, prospective recipients were naturally anxious to have them inscribed immediately after the holiday ended.[117] Complaints about unpaid or delayed payment of pledges are not uncommon.[118] A recommendation that a collection be taken up for the letter-bearer (a cantor) both in the congregation and among those absent from the synagogue tells us that the synagogue was, indeed, the normal venue for such collections and that it was acceptable (if exceptional) to solicit people at home who had missed the public prayers.[119] In some cases a pledge drive would be organized by a "collector" (the absence of a *jābī* is cited in one letter for the inability to hold one), but, naturally, the task also fell within the purview of the head of the local community, the muqaddam, who might be at the same time the local cantor.[120]

The pesiqa is so common in the Geniza that we are left to conclude that it constituted a routine vehicle for eleemosynary giving, and not only in the capital.[121] However, because it straddled the boundary between public and private charity, and because revenues for the ongoing, regular system of communal expenditures for charity (bread mainly) usually originated as pledges, some confusion has existed as to the exact role of the pesiqa in the charitable enterprise. It does not seem, however, that the solicitations and contributions for the permanent and ongoing public charity of the community were, formally speaking, considered pesiqa.[122] From a complete examination of the data, and even just the examples adduced

[117] BM Or 5542.8, *Med. Soc.*, 2:455, App. B 62 (1100–50), from a scholar, addressed, appropriately enough, to the cantor of the synagogue, and asking him "to make sure to get everything down" (*yastaqṣī fī katbihā*).

[118] TS 6 J 10.13, lines 8–12. TS 8 J 16.13v, lines 2–3, *Med. Soc.*, 2:499, App. C 84: *fa-man qad asmā shay fi'l-pesiqa fal-yatafaḍḍal bihi wa-lā yu'akhkhiruhu*. A man heading for Palestine complains that "the only thing that is delaying me is the balance of the pesiqa that is in your honor's hands." *Mosseri L 291, lines 5–7.

[119] Mosseri L 217 (VII 149), lines 7–10. We saw earlier that Maimonides included collections in private homes in a campaign to raise money for ransom of captives. Chapter 3 at note 24.

[120] Collector: TS 13 J 21.24v, lines 3–5. Muqaddam: TS 6 J 2.25v, right-hand page, lines 3–5, ed. Mark R. Cohen, *Studies in Judaism and Islam presented to Shelomo Dov Goitein* (Jerusalem, 1981), 140, trans. 152, a fractious community is admonished by the head of the Jews not to oppose their muqaddam when he orders a pesiqa for someone (ca. 1107).

[121] In the letter, Bodl. MS Heb. d 75.28, ed. Bareket, *Yehudei miṣrayim*, 116–21, Ephraim b. Shemarya writes to the community of Damsīs, apparently about a marriage that was the cause of a dispute there, and at the end requests the community to organize a pesiqa for the letter-bearer (the word, verso, line 33, must be *mūṣil*, and not what the editor writes and interprets).

[122] My view differs from Goitein's view (see *Med. Soc.*, 2:106–107), and from Gil's (see below, note 128).

by Goitein in *Mediterranean Society*,[123] it appears that the pesiqa procedure, functioning ad hoc, was used principally for private, individual exigencies, or for specific collective needs like the shrine-synagogue at Dammūh,[124] or for the poor on occasions such as holidays. Other examples that could be adduced include a collection of ten dinars to finance repairs to the synagogue of the Palestinians in Fustat.[125] Another benefits one of those ubiquitous nasis, descendants of the house of King David whom the community liked to honor with gifts.[126] Pesiqa also denotes the (ad hoc) collections on behalf of institutions of higher Jewish learning, whether the great yeshivot or a local school, or, as just mentioned, salary supplements for communal officials.[127] In short, the pesiqa constituted a repeating opportunity for spontaneous giving, cherished as a means of fulfilling the biblical commandments to give charity to the poor and of gaining God's favor and ultimate reward.

For the indigent individual, the pesiqa pledge usually originated in response to his (or an intercessor's) private appeal for charity to meet his immediate needs. But it was also public, in that the funds came from open appeals, usually in the synagogue, or from solicitations from multiple donors who would have been told the purpose and the intended recipient. Nonetheless, for the conjuncturally poor, the pesiqa afforded a preferred alternative to the weekly public dole, for its time frame and public nature were both limited, and so too the shame associated with

[123] Ibid., and the Index volume to *Med. Soc.*, s.v. "Pledges." In TS Box K 15. 93r, right-hand page, line 2, *Med. Soc.*, 2:440, App. B 6 (1040–60), on a list of indigents with the amounts they were expected to pay towards their poll tax, an entry says "from the *pesiqa*, 1/4 (dinar)," meaning, as Goitein notes, that the individual was considered unable to pay even that amount, and so it was to be taken from the pesiqa, a special (ad hoc) allocation. The rest of the people on the list were expected to pay whatever amount was listed next to their names, and the community would provide the rest, not out of a pesiqa but from the regular budget of revenues collected.

[124] TS 12.419v, *Med. Soc.*, 2:485, App. C 36 (1213–18).

[125] TS 13 J 13.13 + TS 13 J 27.5, lines 18–19, ed. Moshe Gil, *Meḥqerei ʿedot u-geniza* (Studies in Geniza and Sephardi Heritage presented to Shelomo Dov Goitein), ed. Shelomo Morag, Issachar Ben-Ami, and Norman Stillman (Jerusalem, 1981), 72–75; also Gil, *Ereṣ yisrael*, 2:742–44.

[126] TS 13 J 21.24v, line 3.

[127] For the yeshiva of Jerusalem: *Med. Soc.*, 2:12 and 521n22; for the school of Elḥanan b. Shemarya (d. ca. 1025) in Fustat, where the word appears in an Arabized form, *fasāqa* TS 13 J 35.2, line 10, ed. Gil, *Ereṣ yisrael*, 2:579–81; cf. *Med. Soc.*, 2:29 and 526n28. Ephraim b. Shemarya, head of the Jerusalem congregation in Fustat, was apparently once accused (wrongly he states in a letter) of shaving off some of the proceeds of a pesiqa on behalf of the Jerusalem yeshiva; MS Reinach III, line 2, ed. Moïse Schwabe, *Revue des études juives* 70 (1920), 55–58 (the word was misunderstood there); republished with Hebrew trans. by Bareket, *Yehudei miṣrayim*, 47–51. Salary supplement: ENA 4010.1, line 10, ed. Goitein, *Eretz-Israel* 7 (1964), 90–92; cf. *Med. Soc.*, 2:106.

seeking charity. These people had to "uncover their face" to a relatively limited number of people.

In contrast, the majority of lists of cash donations, well over a hundred in number—and not just the many that are explicitly labeled *jibāya*, "collection"—represent *regular* rather than ad hoc collections for the ongoing, weekly food dole, or for the somewhat less regular collections for wheat and for clothing, as well as for the salaries of communal officials. As stated, in practice these donations *also* originated as pledges to be called in, just like the pesiqa, and some people doubtless called these pledges pesiqa as well.[128] However, technically speaking, as one document clearly indicates, another term, *ṣibbur*, meaning "community," constituted the official term for pledges for public charity; the letter in question explicitly distinguishes it from the pesiqa.[129]

Other Sources of Revenue

Revenue for ongoing public charity came mainly from sources other than the ad hoc pesiqa. Wheat, for instance, as we have already noted, was sometimes donated in kind.[130] Parnasim might also go around from house to house soliciting donations, or they might visit the marketplace to solicit or collect charitable gifts from businesses. These people who

[128] See the list of over one hundred "pledges" (employing the verb *asmaw*) "for the p[oor]" (I saw in the manuscript at Cambridge what appears to be a *pe* followed by the faint remnants of the letter *qof*, hence *li'l-f[uqarā']*), TS Box K 15.18, line 1, *Med. Soc.*, 2:496, App. C 69 (1355). A rather clear indication of the distinction between pesiqa and regular public support of the poor is to be found in a letter of appeal. The writer explains that the letter-bearer, a teacher who needed help in a dispute with the poll-tax officials, "does not need a *pesiqa*, nor anything else from the Jews." I take this as an indication that the pesiqa (the first thing mentioned) was understood as an ad hoc system for individuals' special needs, differing from communal collections for regular charitable purposes (mentioned second, where "the Jews," like the more common expression "Israel," means "the community"). TS 13 J 13.2, ed. Gil, *Ereṣ yisrael*, 3:88–89 (Gil interprets *pesiqa* as "permanent support from the community," ibid., 1:433). A good example of a list of pledges followed by paid-up installments (smaller sums) is TS Box K 15.86, *Med. Soc.*, 2:497, App. C 76. The list ENA 2591.18v, left-hand page, lines 1–2, states at the top of one column: "List of the revenue from the collection for the weekly payment (*jibāyat al-mujāmaʿa*) for the week of Naso (Numbers 4:21–7:89, read in May or June), *Med. Soc.*, 2:465–66, App. B 102 (end of twelfth century).

[129] TS 10 J 29.4, line 6: *mā kharaja ʿan dhālika min manāfiʿikum min ṣibbur wa-pesiqa* (fragment combines with TS 10 J 24.7), cf. *Med. Soc.*, 2:122. Also in a merchant's business account, including a list of pledges by his customers for communal charity, called *ṣibbur*. TS Misc. Box 8.66, cf. *Med. Soc.*, 2:108.

[130] An example: TS Box K 15.6r, left-hand page, *Med. Soc.*, 2:483–84, App. C 33, "Collection for wheat, Av 1489 [= July–Aug. 1178], through our masters and judges, may God preserve them." This list is also significant in that in other columns (pages) it records direct cash contributions for the poor.

"gave at the office," so to speak, crop up on many a list, in the formula "X and his partner."[131] The clustering of professions in some solicitation lists suggests that shopkeepers or craftsmen working close to one another, as is typical in the traditional Arab marketplace even today, were approached by the parnasim in their places of work.[132] The same is suggested by lists of names sorted according to where they worked in a particular marketplace.[133] Circular appeals for ransom of captives spawned another source of income for public charity.[134] Fines created additional revenue, as people often stipulated in legal agreements that they would pay penalties into the community chest for breach of contract. The fines were sometimes large (as much as one hundred dinars), sometimes much smaller. Most of the time these penalties never came due, so they cannot have made up a very significant source of income, at least dependable income, for the community's welfare budget.[135] On the other hand one paid-up fine of even ten dinars could buy two thousand loaves, enough for a three-day ration of bread for the poor of Fustat at the beginning of the twelfth century. As for regular pledges, where individuals lacked sufficient cash to make payments promised (or simply did not wish to lay out the money), they often transferred bills of indebtedness to the community, sometimes for even very small sums.[136]

I found only a handful of women giving direct charity for the poor on the more than one hundred donor lists from the classical Geniza period. These include the above-mentioned wealthy eleventh-century businesswoman, al-Wuḥsha, and the wife (or widow) of a man on a list of households and male donors from the time of Abraham Maimonides. Mostly they appear on accounts of donations in support of synagogues.[137]

[131] TS Box K 15.6, *Med. Soc.*, 2:483–84, App. C 33 (1178), 112 "firms," as Goitein called them. Actual payments, not pledges.

[132] An example in Bodl. MS Heb. c 13.6–8, *Med. Soc.*, 2:493–94, App. C 59 (1238–1300).

[133] TS Box K 6.177, *Med. Soc.*, 2:482–83, App. C 31 (final third of the twelfth century). This list also has sections for certain professions.

[134] Chapter 3.

[135] E.g., Bodl. MS Heb. a 3.42, ed. Mann, *Texts*, 2:179, rev. ed. Friedman, *Ribbui mashim*, 67–69, a marriage contract in which a rich Karaite widow imposes on her future (Rabbanite) husband a fine of one hundred dinars "for the poor of the Karaites and the Rabbanites in equal shares" if he failed to follow any of the stipulations of the contract, which included mutual respect of each other's religious holidays and beliefs. Other examples given in *Med. Soc.*, 2:110. For an example of how difficult it could be to prove breach of contract (an "engagement" agreement), hence liability for such a fine, see Rambam 84, ed. Blau, 1:138–44.

[136] TS Arabic Box 54.59v, lines 13–16, *Med. Soc.*, 2:488, App. C 45 (first part of thirteenth century).

[137] Wuḥsha: TS Misc Box 8.102v, line 10, *Med. Soc.*, 2:478, App. C 19 (ca. 1095), cf. ibid., 3:352. She gave a relatively small amount. From the time of Abraham Maimonides: *TS Box K 15.64v, right-hand page, line 17, *Med. Soc.*, 2:493, App. C 57. This not a list of

Narrative evidence, on the other hand, shows women actively engaged in works of charity for the indigent. This includes two letters from the fourteenth century giving instructions for a beadle's wife to take up collections from the women (we don't have that list, however) and a eulogy for a charitable lady.[138] There are other echoes in letters of munificent women giving privately, for women, too, wished to fulfill the religious obligation of ṣedaqa; even the simplest of women could do so by baking extra bread to give to the poor.[139] But the scarcity of women on the donor lists is wholly understandable, as women normally did not frequent the male-dominated venues—whether the synagogue or businesses—where collections were commonly taken. The talmudic halakha that cautions against accepting anything more than small alms donations from women (or small children) may also have been a factor, although tiny donations were quite normal in this community.[140]

Finally, on several late lists (fourteenth century or later), the word *mattan*, short for *mattan be-seter*, "a secret gift," that is, "anonymous," appears alongside named donors.[141] These are Jews who took seriously the praise for anonymous giving in Jewish law and asked that their names be excluded from the donor lists, which were sometimes tacked up to the wall of the synagogue, despite the fact that the rabbis considered the quest for stature through public giving to detract from the religious value

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"houses" = wives, hence, "[a] collection arranged by women to which also a few gentlemen contributed," as Goitein speculates with a question mark. Those entries marked "house" are for households, as this exceptional lone entry for a "wife" (imraʾa) shows. Women on another donor list: TS NS J 424r, lines 20, 24, verso, line 15, *Med. Soc.*, 2:498, App. C 77. Five women on an account of pledges for the upkeep of the shrine-synagogue of Dammūh: TS 12.419, lines 12, 14, 16, 18, 20, *Med. Soc.*, 2:485, App. C 36. A comment at the bottom suggests that the last woman on the list had actually headed this pledge drive (pesiqa) (Goitein).

[138] Beadle's wife: *TS 8 J 17.30 and *TS 13 J 28.13, both trans. Goitein, *Tarbiz* 54 (1985), 83; eulogy: TS 6 J 7.21v.

[139] E.g., TS 6 J 1.10v, regards on back of a letter to a charitable noble lady. There are casual references to charitable ladies in many other letters. Baking extra bread: *Med. Soc.*, 2:105. A few more examples can be found through the entry "Women, charitable activities," in *Med. Soc.*, 6:122. On the "beneficence of women in Islamic history" among upper-class women (the only ones whose acts got recorded), see Singer, *Constructing Ottoman Beneficence*, 81–83.

[140] The halakha is codified in Mishneh Torah, Hilkhot mattenot ʿaniyyim 7:12. The talmudic reasoning is that women and small children, normally bereft of their own, personal cash, might be donating stolen money.

[141] I found four examples: *TS Box K 15.58, *Med. Soc.*, 2:495, App. C 67 (fourteenth century): two lists, with ten out of twenty-six of the givers "anonymous" on one and twelve out of about twenty-five on the other; TS NS J 205v, *Med. Soc.*, 2:496–97, App. C 70 (fourteenth century): record of pledges collected, one anonymous out of 17; ENA 2348.2–4, *Med. Soc.*, 2:505, App. C 129 (fourteenth century or later): list, three pages long, with four anonymous givers.

of the act. Maimonides, in his famous eight-runged "ladder of charity," highlighted the anonymous giver (second only to benefactors who provided the needy with a job, a loan, or a gift). He was doubtless aware from personal experience that not a few of his coreligionists used charity as a vehicle for prestige.[142] Interestingly, none of the scores of donor lists from the classical Geniza period (eleventh to mid-thirteenth centuries) contain the entry mattan. Small as the positive and negative sample is, it is tempting to think that mattan became popular as a designation in public giving only after Maimonides' Code, with its praise of anonymous giving, was completed and disseminated at the end of the twelfth century.

Food, Clothing, and Shelter

Food Distribution

As noted already, bread was the centerpiece of the diet in this society and the item most typically mentioned in letters of the hungry, as we find, too, in the English pauper letters. Bread and wheat, the only foods distributed by the community on a regular basis to the poor, were also the mainstay of public charity, apart from cash for food supplementation and to subsidize the poll tax. It was on the basis of dozens of bread lists and many accounts for expenditures for bread (I count about thirty-seven) that Goitein determined that the weekly individual adult ration was four loaves. Earlier we showed that the nutritional value of this ration was inadequate and so some of the deficit was made up by direct cash allotments and by gifts of wheat. We possess many lists of wheat distributions, sometimes allocated to the very same people who appear on contemporaneous bread lists.[143] With wheat, a family could grind its own flour for bread, shaving some money off the unit cost. The sources do not make clear how often these wheat distributions took place or how widespread they were, but, as stated above, they do not seem to have been weekly, like the bread dole.[144] Most people ate bread that was baked by bakers, and when

[142] See above at note 51. A complaint about the people of Fustat that they give only for public prestige (*al-ʿalāniyya*) comes from a schoolmaster from Algeria who had trouble obtaining a pesiqa in the synagogue for himself and his blind son. TS NS J 35, lines 11–17, partly trans. Goitein, *Sidrei ḥinnukh*, 78.

[143] A wheat distribution list: *TS Box K 15.113, *Med. Soc.*, 2:444–45, App. B 26, "list of the Rūm," i.e., Jews from Byzantium most likely, around the same time as the bread lists of 1107 discussed further on, that contain a large group of Rūm, many with the same names as here. The amount of wheat is given in fractions of waybas, or sometimes a whole wayba or more. A wayba weighed a little over twenty-four pounds and by volume was equivalent to approximately four gallons and cost about six dirhems in normal times during the last third of the twelfth century. *Med. Soc.*, 2:129.

[144] *Med. Soc.*, 2:129.

the regular Tuesday/Friday ration of loaves for a poor family ran out, they had to buy loaves in the market (and on a daily basis, since bread got stale very quickly), which cost more than preparing their own dough to be baked in a neighborhood oven. Cash alms helped out here.[145]

The very physical state of the food-dole lists and accounts of expenditures reveal details of the procedures for distribution. The lists are seldom complete. Tears and holes mark the pages and we can only guess at what is missing. But what we do have tells much. Most of the lists are in columns, and pages frequently exhibit fold lines down the center. These bifolios constitute pages from notebooks in which scribes recorded entries. When I refer in the notes to "left-hand page," I mean the left side of a bifolio, separated from the parallel column on the right by a fold line, and which in the original notebook constituted a separate page, probably separated from the one on the right by intervening pages.[146] The repetiton of the same names sometimes in facing columns proves this. These caveats must be taken into consideration when interpreting the lists. Nonetheless, they nicely illustrate aspects of the administration of this type of public charity.

Sometimes we find several loose pages in the same handwriting and with the same size and physical layout. These belonged to notebooks of a single scribe, the pages or quires having originally been bound together with string. In some cases we can actually see the holes through which the string passed. Pages thus separated from their bindings ended up in the Geniza. The best example of this, already mentioned several times in this book, is the set of four loose bifolio pages Goitein identified and described in Appendix 2, nos. 19–22, of *A Mediterranean Society*, and discussed elsewhere.[147] One of the pages bears a date corresponding to October 30, 1107.[148] Many foreigners from Rūm are registered, which led Goitein to surmise that they had come to Egypt as refugees from the

[145] See the distribution of cash, from 1182, mentioned above (note 88), in which nine persons received five (dirhems), eight received three, one, two, eighteen people in total, all women except for three men. TS 8 J 5.14b, *Med. Soc.*, 2:448–49, App. B 36 (1183). In another list, from the beginning of the thirteenth century, twelve people receive sums of 2 1/2 dirhems (two recipients), 3 (one recipient), 4 (1 recipient), or 5 (eight recipients). TS 8 J 6.3v, left-hand page, lines 26–33, *Med. Soc.*, 2:462–63, App. B 85 (1200–40). In around 1030 we find amounts like 7 1/2, 15, 20, even as much as 30 dirhems. TS Box J 1.43, *Med. Soc.*, 2:465, App. B 100 (wrongly cited as f. 34) (ca. 1030). Five dirhems was more than the upper end of the daily wage scale of the lowest-paid workers and so these sums constituted a meaningful supplement to the weekly food dole.

[146] *Med. Soc.*, 2:444.

[147] *Med. Soc.*, 2:127.

[148] *TS Box K 15.39r, left-hand page, lines 2–5 (Tuesday the eleventh of Marheshvan, [1]419 Sel.). In Appendix B 21 Goitein writes "Tuesday, Marheshvan 18 (Nov. 5)," but the correct date is given by him in *Med. Soc.*, 1:56.

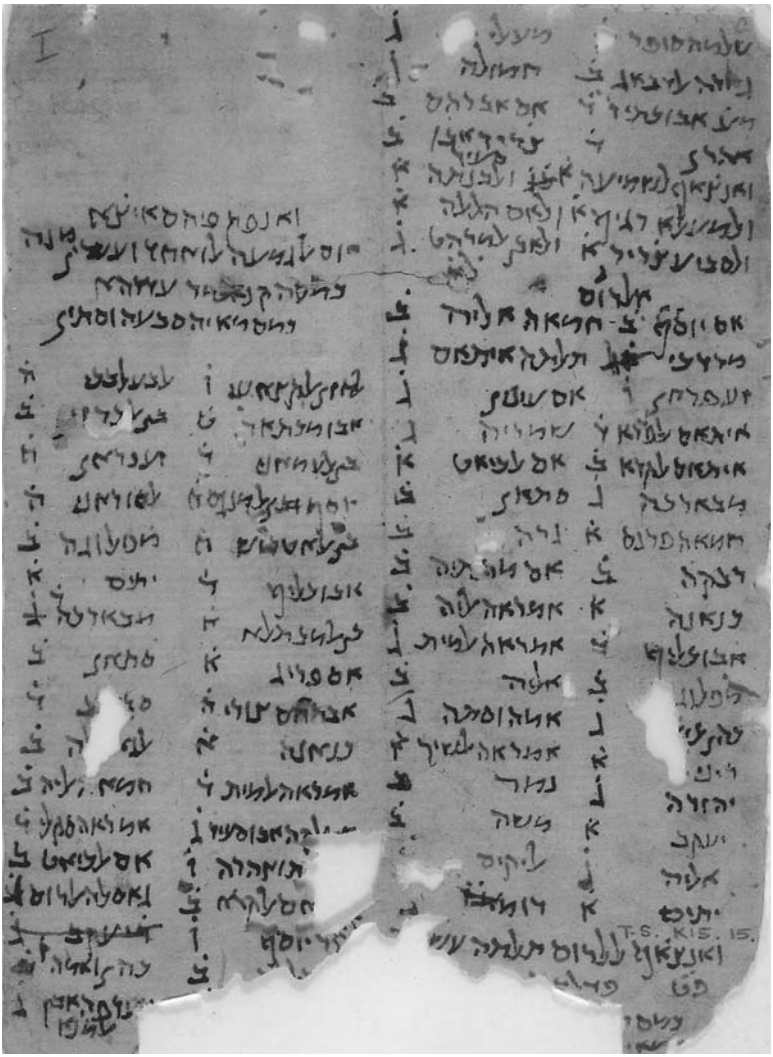

Figure 2. Page from an alms list, distribution of bread, 1107

depredations accompanying the First Crusade in 1096, but it is more likely that they were refugees from Byzantine Asia Minor. Several other lists containing a large number of the same names of recipients and, in one case, in the same handwriting as the four pages, come from the same time.[149]

[149] See *Med. Soc.*, 2:442–44, Apps. 17, 18, 23, 24. On the Rūm see above, chapter 2 at note 57.

A heading on one of these pages tells us, in religious language (for this was a religious age), that we have before us a "List of the Poor of Old Cairo, may God in his mercy make them rich and help them in his grace and kindness."[150] There are no names on this page, so it must have formed the title page for the bread lists that followed. A heading on another page of the same bifolio reads: "On the [. . .] day of Marhesh[van] (November, of 1107). Available six hundred [loaves] weighing six qintars (600 pounds). Their price is three dinars, which I have received from the Chief of the Dignitaries—may he live forever."[151] This, then, is a notation by the parnas, recording the source of the charitable donation for purchase of the bread, in this case none other than the head of the Jewish community (*raʾīs al-yahūd*), the nagid Mevorakh b. Saadya (d. December 1111), who also held the title "Chief of the Dignitaries" (Hebrew, *sar ha-sarim*).[152] Only a person of some wealth like Mevorakh, who earned his living as a court physician, could afford to donate such a tidy sum (three dinars were enough to support a middle-class family for a month and a half), and we may be certain that it was not the first or only time he did.

Sometimes the bread supply was augmented with leftovers from a previous distribution, presumably when there was not enough to go around the following time. The heading with the date October 30, 1107 states: "four hundred ninety pounds, numbering five hundred thirty-nine (loaves) from Maʿālī the baker, to which were added ten, making five hundred pounds, ten being old loa[ves] (in the margin: ten in old loaves from [. . .]," presumably from another baker).[153] Who the other baker was is also mentioned—Ṣadaqa was his name. The names of the two bakers occur interlinearly here and there. I interpret this to mean that the names that follow received their bread from one or the other of these men. The bakers must have distributed loaves from a central location, but to designated recipients, each of them having his or her allotment written next to the name. That the bakers came with their loaves to a central distribution place is implied by the following: the same baker Maʿālī also received loaves of bread in his own right, from the other baker, Ṣadaqa, as did his porter (*ḥumūla*, "transport"), who would have carried the bread from the market (the load would have been heavy) to the central distribution point.[154] Presumably this was

[150] *TS Box K 15.5r, left-hand page, lines 1–2; similarly in *TS Box K 15.39, left-hand page, line 3: "D[i]s[pensed] to the poor, may God, in his mercy, make them rich."
[151] *TS Box K 15.5v, right-hand page, lines 2–7.
[152] On him see Cohen, *Jewish Self-Government*, 171–77, 213–71. There I rendered the title "Prince of Princes."
[153] *TS Box K 15.39r, left-hand page, lines 6–9.
[154] Ibid., verso, left-hand page, lines 2–3.

part of their fee.[155] Important to remember, too, is that expenditures of money for the weekly bread dole, and even for individuals to buy their own bread, are regularly listed on accounts of parnasim, alongside payments toward the salaries of community officials. This shows that these seemingly disparate categories of expenditure, collectively termed *mezonot*, were closely associated in the minds of the administrators of charity, and in this regard resemble Islamic waqfs that include scholars and other "servants" of the community among their beneficiaries.[156] We may imagine, too, that through these special payments to individuals for bread outside of the public dole, social-welfare officials helped families compensate for the spartan nutrition that the public bread ration supplied.

Where was the central distribution point to which the poor came to collect their bread, wheat, clothing, or cash? We have a specific reference to a "storeroom for wheat" (*makhzan al-qamḥ*) in an account of expenditures from a pious foundation—an allocation of money to pay for maintenance of that facility.[157] It is not stated where it was located. For bread, Goitein assumes that recipients came to fetch their rations from a storeroom in the synagogue.[158] The direct evidence for this is scanty—it is a subject not likely to have been mentioned in the kinds of materials at our disposal. But a fragment of a letter seems to indicate that the synagogue was, indeed, the place for doling out bread. It is the beginning of a letter from the nagid Samuel b. Ḥananya, head of the Jews 1140–59, to the community of al-Maḥalla, entreating them to be charitable (for what specific purpose, we are left in the dark since the letter is torn off precisely here). He alludes, lyrically, to the place where people distribute bread: "They give some of their bread to the poo[r], they cover the naked with clothing, diligently they come to the doors of the synagogue, every day, in

[155] Workers at the soup kitchen in Ottoman Jerusalem were compensated with food. Singer, *Constructing Ottoman Benficence*, 63.

[156] In the account TS Box K 15.90, cf. *Med Soc.*, 2:450, App. B 40 (1210–25): "Bread—33 1/4, al-Faṣīḥ for bread—1, for the daughter of Moses al-Kharrāz and a foreigner—1" (recto, right-hand page, lines 27–28); "beadles—4, and a qirāṭ (1/24 of a dinar) for a poor woman who could not afford bread" (recto, left-hand page, line 12). One dirhem might buy five loaves of bread; a qirāṭ, normally about 1 1/2 dirhems, could buy more than that. The cantor Yedutun ha-Levi, who frequently appears with other communal officials as a recipient of salary in the same accounts with expenditures for bread and gifts to individual indigents, writes in hunger (he is hungry every day but the Sabbath) to an individual asking for assistance "privately" (*sirran*) and not "publicly" (*jahran*). TS NS J 323, cf. *Med. Soc.*, 5:89. The term *mezonot* is used for disparate expenditures, from direct charity to salaries for communal officials, in *ENA 2727.54. On the broadened compass of the Islamic waqf with reference to the Ottoman soup kitchen, see Singer, *Constructing Ottoman Beneficence*.

[157] TS Misc. Box 8.61v, lines 19–20, *Med. Soc.*, 2:452, App. B 46 (1210–25), ibid., 154, 552n27; ed. Vaza, "The Jewish Pious Foundations," 266–68.

[158] *Med. Soc.*, 2:127.

the morning and in the evening, guardians of the food at its doors."[159] The words "every day," incidentally, recall Maimonides' language describing the *daily* (rather than the talmudically prescribed *weekly*) collections of alms in his formulation of the law of the quppa. The synagogue was probably also the distribution point for clothing and cash. This public venue for communal eleemosynary giving explains why so many people seeking private charity preferred it to the alternative—the communal dole—"uncovering their face" to the entire community.

Clothing for the Poor

The refrain "naked and starving" inscribed in many Geniza letters ties physical sustenance to physical protection from the elements. Complaints about inadequate clothing, we have already seen, abound. The community provided clothing for its poor and also for its communal officials.[160] Monies for clothing came from various sources, sometimes documented as expenditures in accounts of rent collected from endowed pious trust property, sometimes as pledges dedicated to this purpose by individual contributors.[161] Lists of "clothing for the poor" represent the distribution side, showing the type of clothing received by named indigents and communal officials.[162] The items of clothing, some of them not mentioned much, if at all, in Islamic sources, included the popular *jūkāniyya* (perhaps *jūkhāniyya*), seemingly a (short) robe with a hood; *fūṭa*, a sari-like garment; *shuqqa*, fabric to be tailored by the individual to his or her own taste; *libd*, felt cloth; the enigmatic *muqaddar*; and, rarely, the *thawb*, the regular long robe.[163] More women than men appear on the lists, reflecting the mores of that society, which especially emphasized the obligation to preserve women's decency with appropriate clothing. The inclusion of community officials in the clothing dole follows on their intermingling with indigents and with expenditures for bread in other distribution

[159] TS 10 J 9.22, lines 4–6.

[160] On clothing for the needy, see *Med. Soc.*, 2:130–32.

[161] Pious trust: TS 8 J 11.7r, lines 1–2, ed. Gil, *Foundations*, 347; TS Box J 1.32r, lines 5–6, ed. Gil, ibid., 394 (ca. 1200), *kiswa li-imra'a*—4, "clothing for a woman—4." Individual contributors: TS AS 145.9v, left-hand page, line 1, *bi-rasm alladhī ṭalaba al-fūṭa*, "intended for those requesting a *fūṭa*," followed by a list of prospective donors and and amounts pledged.

[162] E.g., TS NS J 293v, left-hand page, lines 2–3, *Med. Soc.*, 2:448, App. B 33, "List of clothing for the poor (*jarīdat al-kiswa liʾl-ʿaniyyim*), for the year of documents 1451 (1139–40)."

[163] Goitein offered various views on the meaning and nature of the otherwise unmentioned garment called *muqaddar*, reflecting his uncertainty. See Diem's distillation of Goitein's explanations in Werner Diem and Hans-Peter Radenberg, *A Dictionary of the Arabic Material of S. D. Goitein's* A Mediterranean Society (Wiesbaden, 1994), 169. *Libd* (not common): TS Box K 15.97v, right-hand page several times, *Med. Soc.*, 2:446, App. B 29 (1100–40).

registers.[164] As already observed, the distinction between public charity and public obligations toward (lowly paid) community servants was not sharp.

Shelter

Shelter also played a role among the acts of public charity in the Jewish community. This had a long history and may in its origins have been influenced by models in non-Jewish society in antiquity. As observed earlier, shelter for wayfarers, many of whom were incidentally sick or poor, formed one of the keystones of Hellenic and Greco-Roman philanthropy. There was the hostel for foreigners and others, the so-called *pandocheion*, which appears in the two Talmuds as an Aramaic loan word, *pundaq*, and in Arabic as *funduq*. Following the Christianization of the Roman Empire, the *xenodocheion* emerged as a charitable hostel for needy Christian wayfarers. Later these shelters evolved in Christianity into true hospitals for the treatment of the ill—whether foreigners or locals, poor or economically self-sufficient. The ancient synagogue, as we have noted, seems to have served as a place of shelter for the needy as well.[165] In Islamic society funduqs appear soon after the Arab conquest and they crop up regularly in Jewish society in the Geniza period.[166]

The Geniza reveals diachronic continuities. Just as in late antiquity, both the synagogue and the Jewish funduq provided shelter for newcomers, many if not most of whom were poor. We recall the sad case of the Jew from Persia, stricken with smallpox and living in poverty in the synagogue. The Norman proselyte Obadaiah's autobiography tells how he, too, was lodged in the synagogue and fed.[167] Many recipients of alms are identified as "X (who lives) in the synagogue," or, more specifically, "in the synagogue of the Iraqis" or "of the Palestinians," both of which, we learn, gave shelter, either in a room or a building in the synagogue compoud, as part of public charity.[168] Not surprisingly, many of these people were foreigners.[169] The mosque served the same function for Muslims,

[164] A list of expenditures on clothing—better, cloth—for communal officials only includes a small amount to pay off the balance of a bill for "wheat for the poor." TS NS J 76, *Med. Soc.*, 2:449, App. B 38 (1210–25).

[165] See above chapter 2, at the end.

[166] Constable, *Housing the Stranger in the Mediterranean World*, 40–106.

[167] The Jew from Persia: see chapter 2 at note 60. Obadaiah: Golb, "The Scroll of Obadaiah the Proselyte," 99.

[168] "ʿAbd Allāh who (lives) in the (synagogue of the) Iraqis": *TS 6 J 1.12v, line 5. "[In the Syna]gogue of the Palestinians": *ENA NS 77.291, line 1 (list of recipients of alms).

[169] For instance "the foreigners (living) in the synagogue: TS NS J 239v, line 9 (list of communal officials and needy persons), *Med. Soc.*, 2:462, App. B 83a (1200–40), or "a

especially before the spread of the madrasas, and in towns too small to house inns.[170]

When we find a "man from Bilbays in the funduq" on an alms list, we are not surprised that the funduq, principally a facility for lodging merchants with their wares, also sheltered needy people who had arrived from outside the capital.[171] A Persian woman living in the funduq, mentioned elsewhere, had three orphans who were being cared for by a man, himself needy, who wrote to a notable asking for a contribution toward their school fees.[172] The assumed existence of shelters for the needy evidently underlies a request in a letter recommending a needy person: "Please greet him favorably as is your custom, because he is completely 'desolate.' Moreover, in regard to the note he has about the poll tax, help him so he is not harassed [. . .] and direct him to a place where he can live in safety without anxiety."[173] At the beginning of the thirteenth century there seems to have been a committee of three notables in charge of "hospitality" (using the old Arabic word *ḍiyāfa*), who saw to the shelter of transients.[174]

The Fustat community maintained at least two funduqs as heqdesh properties in which foreign wayfarers were lodged.[175] The Jewish funduq was perhaps the normal shelter for the wayfaring poor, while lodging in the synagogue was unusual. That may underlie an offhand comment of a Jewish inspector writing a report about the condition of a French rabbi living in Bilbays: "I found two foreigners (living) in the synagogue because of lack of space." There is evidence that Jews stayed in Muslim funduqs, too.[176]

Public funds were sometimes used to subsidize rents of needy persons residing in regular apartments.[177] We also hear about people needing help paying their rent, as well as complaints about renters who were in ar-

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European (living) in the synagogue" in an alms list: *TS Arabic Box 30.67v, right-hand page, line 4, *Med. Soc.*, 2:456–57, App. B 65 (1100–40). "The Aleppan who is (living) in (the synagogue of) the Iraqis" and "the proselyte (living) in the synagogue of the Iraqis": *TS Box K 15.48v, lines 7 and 9, *Med. Soc.*, 2:444, App. B 25 (1100–40).

[170] Stillman, "Charity and Social Service in Medieval Islam," 110.

[171] TS NS J 239v, line 6.

[172] BM Or 5542.14 (not 23), lines 12–14, *Med. Soc.*, 2:465, App. B 98 (1200–40). Others: TS Arabic Box 52.247v, right-hand page, line 3: "a foreign woman (*gharība*) in the inn," *Med. Soc.*, 2:459, App. B 72 (1150–90); TS Arabic Box 30.163v, line 5: "B'l-Faḍl (= Bū = Abu'l-Faḍl), (in) the large inn", *Med. Soc.*, 2:466, App. B 104 (1200–40).

[173] TS 12.266, lines 17–21. "Desolate": *qaṭīʿ*, related to the word *munqaṭīʿ*, meaning poor because cut off from family assistance or from livelihood. See above, note 13.

[174] TS Arabic Box 30.146, lines 1–3, much damaged; cf. *Med. Soc.*, 2:135–36.

[175] Gil, *Foundations*, 114–15.

[176] Foreigners in the synagogue: TS 13 J 20.24, lines 7–8 (around 1220). Jews staying in Muslim funduqs: Constable, *Housing the Stranger in the Mediterranean World*, 105.

[177] TS Box K 25.240, nos. 1–10, several receipts in Arabic script for monthly payments of 5 qirāṭs each, made for the rent of the poor living in Qaṣr al-Shamʿ, the old Roman fortress in Fustat. Cf. *Med. Soc.*, 2:392; 132.

rears.[178] It is exceptional, however, to find needy people living rent free in a house endowed as a heqdesh; the exception comes from the year 1201, a time of devastating famine and plague in Egypt.[179] We hear nothing about homeless people lying in the streets, which attests to the community's success in sheltering the poor.[180]

Poll-Tax Subsidization

As should be clear from what was said in the chapter on debt and the poll tax (chapter 4) as well as from evidence cited above in this chapter, the poll tax was so great a burden for the poor that it occupied a prominent place in charitable giving. It was the object of private charity, as the dozens of letters of appeal for help paying the levy illustrate; it was on the agenda of the heqdesh; and it was the object of pesiqot. Public charity proper also featured poll-tax subsidization. This is illustrated by accounts of expenditures of communal funds and by lists of donations for the payment of the poll tax;[181] by references to payment of the poll tax of communal officials;[182] and by alms lists recording the names of needy Jews with the amounts they could be expected to afford, the community making up the balance. This system is also corroborated by an Arabic petition to a Muslim authority.[183]

[178] TS 13 J 18.17, lines 18–21 partly ed. Mann, *Jews*, 1:213, n. 1, letter of appeal asking help paying the rent of a needy person. TS NS Box 320.4, line 12–verso, line 9, regarding difficulties collecting rent from two poor brothers.

[179] "Inhabited rent free," *al-maskūn ghayr ujra*, including six communal officials and one poor woman; BM Or 5549.6, ed. Gil, *Foundations*, 386–88; *Med. Soc.*, 2:430, App. A 149.

[180] On lodgings as a part of social welfare, see *Med. Soc.*, 2:132. The closest to a "homeless" person Goitein found in the Geniza was a wretched man who had been living for thirty days in a donkey's stable, starving, ill, unable to attend the synagogue service because of his abject state, and imploring his correspondent to extricate 13 1/2 dinars owed him by someone. Goitein was left wondering how such a person, obviously of some means and class, could have been reduced to such a miserable state. Evidently his family was of no help. We may speculate that, perhaps precisely because of his usual state of well-being and since he seems to have been a local Jew rather than an unknown newcomer, he wanted to avoid living in the funduq or the synagogue compound as a ward of the community, "uncovering his face" through public charity. TS AS 150.13, cf. *Med. Soc.*, 5:90–91.

[181] E.g., *Med. Soc.*, 2:473, App. C 7 (GW 13); 486, App. C 38 (BM Or 5566B 33, ed. Gil, *Foundations,* 412–15); 505, App. C 128 (*ENA 2591.6). In the middle of the fourteenth century, we find the head of the Jews taking an active role to assure that funds due to an individual to defray his poll-tax payment be released to him. *TS 8 J 17.12, cf. Goitein, *Tarbiz* 54 (1984–85), 92.

[182] *Med. Soc.*, 2:121.

[183] Alms list: TS Box K 15.14 and 66, *Med. Soc.*, 2:440, App. 4–5 (1040–60), about one hundred persons. Petition: TS Arabic Box 42.177, ed. Khan, *Arabic Legal and Administrative Documents*, 359, "At most times it is difficult for him to pay the full amount until

Care of Orphans

There is no mention of a Jewish orphanage in the Geniza.[184] Islamic sources are similarly silent about this institution.[185] Orphans, fatherless children in Judaism as in Islam, were cared for by a mixed economy of public and private charity. They show up abundantly, listed alone, on the communal alms lists.[186] We should not interpret this to mean that these were foundlings or children wandering about homeless. Most of these children lived in families, some even with their widowed mothers. If fortunate, they received adequate assistance in the form of support from their widowed mother or another relative. This depended, of course, on whether the adult worked or the mother received regular child-care subsidies doled out by the court from the estate of her deceased husband. If less fortunate, the orphan's guardian might seek private charity, like the poor petitioner to the nagid and head of the Jews, Samuel b. Ḥananya, who "inherited" three orphans when his widowed sister died, or the man, himself needy, who cared for the orphans of the Persian woman living in the funduq (mentioned above), as well as for others, and who appealed to a notable in the community for extra assistance for his wards (reminiscent of the foster care undertaken by the needy in American society

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the Jews of his sect charitably help him do so." On public charity for the poll tax, see also Ashtor, "Some Features," 71.

[184] *Med. Soc.*, 3:304.

[185] Stillman, "Charity and Social Service in Medieval Islam," 111; Sabra, *Poverty and Charity in Medieval Islam*, 84.

[186] A few examples: "the orphans of Joseph," TS Box K 15.97v, right-hand page, line 18; "the female teacher and the orphan girl who lives with her," ibid., line 21; "the orphans of Sulaymān," ibid., left-hand page, line 16 (a list of persons in receipt of five or ten [dirhems] or of a felt cloth; *Med. Soc.*, 2:446, App. B 29 [1100–40]). At least sixteen orphans registered on a list of clothing distributions to community officials and/or their dependents and to the needy, in Tevet, 1488 Sel. (began on December 5, 1176), TS NS Box 324.132, *Med. Soc.*, 2: 459, App. B 71 (1150–90). Three orphans on a list of recent arrivals from Rūm, without the names of their fathers, who had probably died before their children reached Egypt and hence were unknown to the scribe: *TS Box J 1.4v, left-hand page, lines 2, 5, 11, *Med. Soc.*, 2:443, App. B 23 (ca. 1107). A fourth orphan's father was known to be a Karaite, and so the child is designated "orphan of the Karaite" (ibid., line 6), which of course did not make him ineligible for alms. These anonymous orphans stand in contrast with orphans on the same list, not part of the Rūm cohort, hence called "the orphan of the Andalusian" (ibid., recto, left-hand page, line 14) and "the orphans of Joseph" (ibid., verso, right-hand page, line 3). On other lists from the same time, where the Rūm are not listed together, but rather dispersed, the orphans still appear anonymously, in one instance as "three orphans from Rūm," *TS Box K 15.50r, left-hand page, line 14, *Med. Soc.*, 2:443, App. B 22 (1107). Goitein noted the curious entry, *yatīm al-aḥyā*, "orphan of the living," meaning an orphan whose two parents were still living. He explains this as a legal term for minors whose fathers had run away, a frequent occurence, as we have seen. It recalls the phrase "widow during his lifetime" used of women with absentee husbands. These "orphans"

today in return for payment from public welfare).[187] More frequently, the guardian (or the living mother) would resort to collecting alms on behalf of the orphan, whose name would then crop up on the alms lists as "the orphan(s) of X" (X being the name of the deceased father). The entry "Judah and an orphan" on one alms list must represent a man taking care of someone else's orphan in his household.[188]

The isolation of orphans in the communal registers should be seen as mirroring administrative procedures and Jewish law. According to the halakhic principle that "the court is the father of orphans," they were eligible for alms in their own right, as wards of the court or by extension the community, even if their mothers were still living. When we find "the orphans of the furrier" and the "widow (written: wife) of the furrier" on the same alms list, but separated from one another by many names and in different columns, we are witnessing just this phenomenon.[189] When we find "an orphan girl and her brothers" receiving bread (the only entry of its kind I have found), we may surmise that she was an older sister caring for her younger male siblings and collecting their combined orphans' allotment.[190]

The interplay of private and public charity in the care of orphans finds expression in the letter to a nagid cited earlier in connection with clothing for the poor. It regards an orphan girl whose family could not provide even basic personal items for her to bring into her impending marriage. The petitioner asks the nagid "to appoint someone to make the rounds of the noble community, explaining her plight [. . .] that God the Ex(alted) may provide that this orphan girl receive something she can depend on, even if it be a polo tunic (jūkāniyya) and a *malḥafa*," the latter to serve as both a mantle and a sleeping blanket.[191]

The halakhic principle that "the court is the father of orphans" appears in action in a case that came before the Jewish court of Fustat in 1173. The court grants a petitioner an allocation of ten dirhems per month for "*mezonot* (food) and all other necessities" for his nephew, Hiba, who was living with him after his brother had died in Cairo. The allocation is made to the uncle from assets deposited with him on behalf

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were eligible for public charity just like official orphans, whose fathers had died. TS Misc. Box 28.184v, right-hand page, line 25, *Med. Soc.*, 2:457–58, App. B 66 (1100–50), cf. ibid., 3:302.

[187] Poor petitioner to the nagid: Mosseri L 9 (IV, 4). Poor guardian of orphans: BM Or 5542.14 (not 23), *Med. Soc.*, 2:465, App. B 98 (1200–40).

[188] *TS Misc. Box 8.9v, right-hand side, l. 8., *Med. Soc.*, 2:442, App. B 18 (ca. 1107). Other examples above in note 25.

[189] *TS Box K 15.50r, right-hand page, line 8 and verso, left-hand page, line 23, respectively, *Med. Soc.*, 2:443, App. B 22 (ca. 1107).

[190] *TS NS J 41r, left-hand page, line 1, *Med. Soc.*, 2:442, App. B 17 (1100–40).

[191] TS 10 J 15.27, lines 8–12, cf. *Med. Soc.*, 2:500, App. C 91, 2:107, 3:305, 5:88.

of the orphan. Before the words "all other necessities," the word *kiswatihi*, "his clothing," is crossed out. A notation at the end of the document stipulates that the word was deleted because the allotment is exclusive of the child's clothing (*khārijan ʿan kiswatihi*). It seems that the judges on this case knew that Hiba's father had expected the money to clothe his son after his death to come from a source other than his estate, namely, public charity.[192]

Education of orphans was one of the traditional charitable obligations assumed by public charity in Judaism. Teachers of poor orphans were hired by the community, though the salaries were so low, as little as half a dirhem per student per week, that the teachers themselves usually belonged to the poor in their own right.[193] We find "teaching of orphans" (*taʿlīm aytām*) twice on an account of income and expenditures of the heqdesh—formally speaking, a type of funding of a communal institution. The sums, one and three, respectively, represent weekly salary, or part of salary, in dirhems. In the second case, at least, a number of pupils must have learned together in one class.[194] The administrative notes of the nagid and head of the Jews Abraham Maimonides include a payment of ten dirhems for a certain R. Yeshuʿa for teaching a specific pupil, whose name is effaced, until the end of Passover, 1218, and another directive to pay the same teacher twenty dirhems "for teaching the poor and the orphans" (*al-fuqarāʾ waʾl-yetomim*).[195] A cash payment of sixteen (dirhems) for another teacher, Solomon, is designated as a partial annual salary (*ujra*) "until the end of the month of Kislev" in an account of a charity collector from 1183.[196] A very focused example of the talmudic law that "the court is the father of orphans," regarding education, crops up in a legal document from the Jewish court of Fustat, dated Adar (February–March) 1160. The widow of a cantor asks the head of the Jews, Nethanel ha-Levi, to allocate two dirhems per month from "the Compound of the Poor" (*rubʿ al-ʿaniyyim*), a heqdesh property whose rents were dedicated to the needy. This was needed to pay the school fees

[192] CUL Or 1081 J 8, cf. *Med. Soc.*, 3:299 (twenty dirhems is evidently a printer's error).

[193] *Med. Soc.*, 2:187–88. A "teacher of the orphans" (*melammed ha-yetomim*) signs as such, along with nine others, including the gaon of the Jerusalem yeshiva, on a letter empowering a representative of the yeshiva to collect donations for the Jerusalem academy (not a "poverty" collection). Dropsie 392, ed. Gil, *Ereṣ yisrael*, 3:751–52. "Teacher of the orphans" in receipt of alms: TS 20.23v, line 8, *Med. Soc.*, 2:439–40, App. B 3 (1020–1040). When wages were not paid on time, teachers themselves slipped into the ranks of the poor. *TS 6 J 4.16. A payment order, *TS 6 J 3.10v, apparently is for this teacher's wages, which were in arrears.

[194] TS Arabic Box 4.7v, right-hand page, lines 15 and 18, ed. Vaza, "Jewish Pious Foundations," 240 (no. 64), omitting the second sum.

[195] TS Box K 25.240, nos. 24 and 26, respectively.

[196] Bodl. MS Heb. f 56.60, line 1, ed. Gil, *Foundations*, 351.

for her orphaned son, whom she wanted to study the Torah and his father's profession with the cantor and teacher Abū Saʿd Saadya b. Abraham ibn al-Muʿallima ("son of the female teacher"). Since this was the cap paid by the Compound of the Poor, the court authorized drawing the expenditure from "the Compound of the *heqdesh*," another foundation not designated for a specific purpose.[197]

Redemption of Captives

This most valued of all Jewish charitable endeavors has been discussed at length above (chapter 3), and several examples are also discussed in previous sections of this chapter. The methods undertaken by communities to effect the redemption of captives may be considered a form of public charity, for it was mostly through organized community appeals, both in the capital and intercommunally, that the huge sums needed were amassed. What the Jewish communities had to grapple with and what they achieved, without the benefit of communal taxation or confraternities dedicated to this charity, was extraordinary.[198]

Medical Care for the Needy

"My illness requires many dirhems," writes a chronically ill cantor in a small town applying to the head of the Jews of Egypt for charity.[199] How was medical care for the needy delivered in our period?[200] Was medical charity formal or informal? A genre of medieval Arabic literature on medical care for the poor (having a pre-Islamic Jewish antecedent) lists "do-it-yourself," simple (often magical) remedies for those who could not afford medical treatment (similar prescriptions, as well as medical amulets, are found in the Geniza), although Islam, like Judaism and Christianity, encourages treating of the poor for nothing.[201] The documents from the Cairo Geniza give glimpses of how things worked in the Jewish world.

It is instructive, first, to compare the world of the Geniza with the Jewish communities in Europe during late medieval and early modern times. Those

[197] TS 13 J 6.27, ed. Goitein, *Gratz College Anniversary Volume* (1971), 94–95, 107.
[198] On such confraternities in the Christian world, see Mollat, *The Poor in the Middle Ages*, 95, and Rodriguez, "Prisoners of Faith." Jewish confraternities for ransom of captives came into being in Christian lands, as well.
[199] TS 8 J 15.3, line 15.
[200] Goitein's discussion: *Med. Soc.*, 2:133.
[201] Gerrit Bos, "Ibn al-Jazzār on Medicine for the Poor and Desititute," *Journal of the American Oriental Society* 118 (1998), 365–75. Franz Rosenthal opines that "religious motivation for medical charity was probably less prominent in Islam than it was in medieval Europe"; "The Physician in Medieval Muslim Society," 488. For prescriptions and medical amulets in the Geniza, see Isaacs, *Medical and Para-Medical Maniscripts*, passim.

communities allocated significant resources to medical care for the poor, especially in the form of hospitals established and supported by heqdeshim; the word *heqdesh* actually came eventually to be identical with hospital.[202] In the Ottoman period, Jewish communities also ran their own hospitals.[203] By contrast, there is no mention of a Jewish hospital in the Geniza or of Jewish patients being treated in a Muslim hospital, despite the plethora of Jewish physicians, famous and not so famous, in the community.[204]

Even if the rich could dispense with hospitals because they could afford to stay at the house of a Jewish doctor, the poor certainly could not. It is perfectly plausible, though we hear nothing about it, that indigent Jews *did* go to Islamic hospitals when necsssary. In general, Jews felt secure among Muslims most of the time and there was the possibility of having kosher food brought in by one's Jewish relatives or fellow Jews in the community. In addition there were often Jewish doctors on the staff, which must have provided some sort of comfort. These things would have made resort to a Muslim hospital not unusual.[205] The absence of evidence for a Jewish hospital—even one supported by heqdesh income—should not surprise us when we recall that endowing a hospital required enormous sums of money and that it was usually left to Muslim rulers with their large treasuries to assume this immense undertaking.[206]

Short of hospitalization, where and how did the sick Jewish poor receive shelter or medical treatment and what role did the heqdesh have in this charity? Fees for private medical care could be excessively high: a blind woman was charged four dinars by a Muslim physican and had to

[202] Baron, *The Jewish Community*, 2:328–29; Eliezer Gutwirt, "The Jewish Hospitals in Spain" (Hebrew) *Peʿamim* 37 (1989), 140–50.

[203] See Miri Shefer, "Charity and Hospitality: Hospitals in the Ottoman Empire in the Early Modern Period," in *Poverty and Charity in Middle Eastern Contexts*, eds. Michael Bonner et al., 131, and the bibliography cited on 141, n. 34.

[204] On the medical profession in the Geniza, see *Med. Soc.*, 2:240–61. Jewish physicians existed in great numbers in Christian lands as well. See Joseph Shatzmiller, *Jews, Medicine, and Medieval Society* (Berkeley, Los Angeles, London, 1994).

[205] The suggestion that Jews stayed at the homes of Jewish physicians is Goitein's, *Med. Soc.*, 2:251 (based on one piece of evidence). It is important to note that many more Jewish physicians served in hospitals than the famous ones inscribed in Arabic biographical dictionaries. See Mark R. Cohen, "The Burdensome Life of a Jewish Physician and Communal Leader: A Geniza Fragment from the Alliance Israélite Universelle Collection," *Jerusalem Studies in Arabic and Islam* 16 (1993), 125–36," and *al-ṭabīb al-marīstān*, the physician of the hospital (known also from elsewhere), who donated to public charity in TS Arabic Box 30.449r, left-hand page, line 15, *Med. Soc.*, 2:508–509, App. C 139.

[206] There were several Muslim hospitals in Fustat and Cairo, built by rulers in pre-Fatimid, Fatimid, Ayyubid, and Mamluk times. The barring of non-Muslims from the famous hospital built with a waqf by Mamluk Sultan Qalāwūn in 1284, a reflex of the harder line toward dhimmīs in the Mamluk period, only proves that before that time it was common to admit them; Sabra, *Poverty and Charity in Medieval Islam,* 73ff., esp. 78. Among the relatively sparse work on the Islamic hospital, one may mention the older but still basic

ask the community for charity to pay the bill (her children, she says, were already pledged as collateral!).[207] Goitein surmises, reasonably, that sick needy Jews were treated gratuitously by Jewish physicians.[208] It seems, too, that the community also subsidized medical treatment for the poor, as the example of a communal payroll registering the enormous sum (relative to all the communal functionaries) of 60 3/4 (dirhems) for a doctor shows.[209] The sick who could not care for themselves might be taken into private homes. We read, for instance, about a request for a donation to support the sick people staying in the writer's house.[210] The judge Nathan b. Samuel (dated documents: 1122–53) seems to have operated as a sideline a kind of hospice for the sick and aged in his home, though there is no indication that he himself was a doctor.[211]

Provision for the sick could, of course, be included in a heqdesh. This is the case in a foundation established by a will according to whose stipulations residuals (after the heirs received their share of the income) were to be spent on medicines for the sick, on shrouds for burial of the poor, or on the poll tax for the desolate poor. Similarly, several of the administrative instructions of Abraham Maimonides order that sums of money be paid to various sick people from the "*waqf* of al-Muhadhdhab."[212]

We must remember, too, that the food, cash, and clothing distributed in the community dole reached countless sick and disabled people and constituted a form of medical charity in and of itself. Food and shelter helped ward off disease caused by poor nutrition or exposure to the elements. Beyond the minimal sustenance afforded by the communal dole and other handouts, sick people sometimes received more substantial gifts of food to help them get well, for instance, chickens, whose dietetic value, ready availability, and relatively low cost made them a suitable choice. A cantor is asked to arrange a collection in the synagogue for two chickens and bread for a sick poor person.[213] The meat and wine craved by another ailing indigent exceeded the meager food normally doled out

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Ta'rīkh al-bīmāristānāt fi'l-islām (History of Hospitals in Islam) by Aḥmad 'Isā (1939; reprint Beirut, 1983), and two recent articles in the collection *Poverty and Charity in Middle Eastern Contexts*, eds. Michael Bonner et al.: one by Yasser Tabbaa, "The Functional Aspects of Medieval Islamic Hospitals," and the other by Miri Shefer (see note 203 above).

[207] TS NS J 430, *Med. Soc.*, 2:501, App. C 96.

[208] *Med. Soc.*, 2:133.

[209] TS Box K 15.63, line 2, *Med. Soc.*, 2:451, App. B 42 (1210–25).

[210] TS AS 145.19.

[211] TS NS J 354, with Goitein's commentary, *Med. Soc.*, 2:251–52, 5:122.

[212] Will: Bodl. MS Heb. f 56.129–30, ed. Gil, *Foundations*, 246–51 (after 1127) (see above at note 196), cf. *Med. Soc.*, 2:425–26, App. A 128. waqf of al-Muhadhdhab: TS Box K 25.240, nos. 33–36, *Med. Soc.*, 2:420–21, App. A 80–84.

[213] Dietetic value of chicken: *Med. Soc.*, 4:249–50. Two chickens and bread: *TS 6 J 8.4, ibid., 2:463, App. B 91 (1200–40).

to the poor and were needed, he implies, to help him recover from his illness.[214] One chicken a day (two on the Sabbath), in addition to probably three loaves of bread (much more than the normal ration), as well as clothing, medicaments, bandages, and other necessities, were generously provided to the sick visitor in Fustat in the middle of the twelfth century whom we met earlier. But this must have been quite unusal, as the costs were relatively high and the fund-raising to meet the expenditures assumed a rather complex character, as we know from the account of the income and expenses.[215] Among efforts on behalf of the sick, regular donations for the sick poor taking the cure in the hot baths of Tiberias, Palestine, are also to be reckoned as medical charity.[216]

The very abundance of physicians and other medical practitioners (especially pharmacists) in the community suggests that some of their patients must have been indigent, and it stands to reason that they treated them without payment—a form of charity. Maimonides' famous letter to Samuel ibn Tibbon, the Hebrew translator of his Arabic "Guide of the Perplexed," laments how, at the end of a long and hard day working as a physician in the sultan's palace in Cairo, he would return to find the waiting room of his home in Fustat full of patients, both Jewish and Muslim. These must have included indigents whom he treated free of charge.[217] Medical charity was encouraged by popular mores, expressed, for example, in the so-called ethical will of Samuel's own father, Judah ibn Tibbon. Himself a physican and translator, he had fled in the middle of the twelfth century from Almohad terror in Muslim Spain to the then more secure region of southern France. Addressing Samuel he says: "Let thy countenance shine upon the sons of men; tend their sick, and may thine advice cure them. Though thou takest fees from the rich, *heal the poor gratuitously*; the Lord will requite thee. Thereby wilt thou find favor in the sight of God and man."[218]

In the mixture of private and public Jewish medical charity in the Geniza world we may see an aspect of community cohesion. The well and the sick lived in close proximity. Aid, in the nature of medical assistance from the community or individuals, or free health care by Jewish physicians, afforded opportunities to do good works—works of charity—on a personal level, fostering solidarity between people in the process. In this respect, as elsewhere, the charitable enterprise formed a unifying factor in medieval Jewish life.

[214] TS 8.24, lines 9–10, ed. Bareket, *Teʿuda* 16–17 (2001), 379.
[215] TS Box J 1.26, *Med. Soc.*, 2:458, App. B 67 (1140–59); cf. ibid., 4:232–33.
[216] See above at note 115, and Mann, *Jews*, 1:166–69.
[217] Discussed in connection with another letter about a burdened Jewish physician in Cohen, "The Burdensome Life of a Jewish Physician and Communal Leader."
[218] Israel Abrahams, ed. and trans., *Hebrew Ethical Wills* (Philadelphia, 1926), 67.

Chapter Nine

CONCLUSION: POVERTY AND CHARITY, CONTINUITY AND ACCULTURATION

There will never cease to be needy ones in your land, which is why I command you: open your hand to the poor and needy kinsman in your land. (Deuteronomy 15:11)

The poor are always with you. (Matthew 26:11)

POVERTY IN THE Geniza world was not the result of some sudden collapse in the economy or of some sudden overpopulation. It belongs to the longue durée, keeping in mind that the longue durée envisions continuities not just across time, but also across space, societies, and cultures—an enduring feature of the human condition that both Jewish and Christian scriptures already recognized. No one in the Middle Ages, further, thought of eradicating the malaise—it is only in more recent times that people have dreamed of solving, as opposed to salving, poverty. People in the Geniza world believed they had a religious obligation to mitigate the suffering of the poor, and they did so also because they felt compassion for those in need and solidarity across economic and social boundaries within their community. The Geniza evidence shows unequivocally that the Jews took their religious duty utterly seriously. That the same was true of their Muslim neighbors rendered their commitment all the more poignant.

In its social construction, poverty in the Jewish world of the Geniza resembled poverty in other societies. On the one hand, there were the chronically ("structurally") poor—the sick, the lame, the otherwise incapacitated, the women (especially widows), the orphans, the foreigners, the captives, the refugees, and the proselytes. On the other hand, we have the "conjuncturally" poor, comprising those living on the margins—the working poor—as well as those of means who experienced a crisis, societal or personal, that thrust them into temporary indigence, "falling from their wealth," in the idiom of early rabbinic literature. These people

prided themselves on getting by and providing for their families. Their strategy was to appeal for private assistance. Like the "shamefaced poor" in medieval and early modern Europe, but anticipated in early rabbinic times, they were embarrassed by their plight. To limit their shame, they turned to private individuals or to the community (of men) gathered in the synagogue, seeking ad hoc, short-term succor. The structural poor, by contrast, had no choice but to throw themselves on public charity, seeking bread, wheat, cash, and clothing from the community; school fees for their children; or subsidies to pay the burdensome poll tax. They experienced, or at least expressed, less shame or none at all because their condition seemed hopeless. Ephemeral private charity was not enough. They needed help and they needed it on a long-term basis from the community dole.

The embarrassed, conjunctural poor in this society came by and large from the ranks of the mastūr, those normally "concealed" by self-sufficiency. Ashamed of indigence when it hit them, they tried to avoid "uncovering their faces," kashf al-wajh. These related concepts appear in a few medieval Islamic sources—in Arabic chronicles for the Tulunid period in Egypt and in al-Ghazzālī's writings—as well as in the Egyptian-Christian chronicle of the Patriarchs of the Coptic Church. The notion of mastūr itself is well attested, however, in modern Arabic dialects. The Geniza evidence, welling up from below, may represent the best source we have for this concept in the Arab Middle Ages. But the term *mastūr* and its opposite, *kashf al-wajh*, are manifestly Islamic. The antinomy does not appear in any rabbinic source known to me. When Maimonides incorporated it into a passage in his Book of the Commandments, he was almost certainly, even if not deliberately, describing a reality of everyday Islamic life that touched Jewish life as well. Related, in turn, to shame and the cross-cultural phenomenon of conjunctural poverty, it forms one of several structures of history that our study has confirmed from a previously unknown angle and illustrates how, even in inner Jewish life, the Geniza illuminates the wider society.

This leads to the core question: How much of what the Geniza teaches us about poverty and charity in the Jewish community was a matter of continuity with age-old Jewish practice and how much of it stemmed from conformity with the surrounding society? The question of continuity versus acculturation, of diachronic versus synchronic forces, is frequently posed of various phenomena in Jewish history, but the issue has hardly been addressed for poverty and charity. Our study offers a start in that direction.

To be sure, we confront a problem of methodology: how to assess continuities given the gap of several centuries between the close of the Talmuds and the eleventh century, when the Geniza first unveils its trea-

sures. We cannot even know how faithfully the normative precepts of the Talmud reflect the actual lived experience of the poor and their benefactors during its own time. To say that the Geniza material reflects the practice of charity in late antiquity might not be an unreasonable assumption, given the conservative nature of Jewish society (and of societies in general) in premodern times. Much that we see in the Geniza world does in fact mirror the world reflected in the Talmuds. Here, again, we are in the longue dureé. That the Jews practiced a sophisticated system of regular, public food distribution as prescribed in the Talmud, while Muslims had no government food-relief system, is strong evidence of diachronic continuity since pre-Islamic times.

Apart from practice, what do our sources tell us about *ideas* of poverty and the relationship between ideas of poverty and poor relief?[1] How much of *this*, further, is embedded in Jewish tradition and where can we identify similarities with the surrounding culture? Ideas of poverty in rabbinic Judaism vary greatly, and many of them appear in our documents from everyday life. Probably the most constant idea in rabbinic sources is that poverty is always a misfortune, never holy, not to be idealized or exalted.[2] There is hardly any hint of the virtue of the poor in Jewish thought, and the same goes for the Geniza letters. Connected with this, begging, understood as door-to-door solicitation, was frowned upon in Judaism from early rabbinic times. Maimonides later codified Jewish law on this matter: "In the case of a poor man who goes from door to door, one is not obligated to give him a large gift, but only a small one. It is forbidden, however, to let a poor man who asks for alms go empty-handed, just so you give him at least one dry fig."[3] In practice, of course, the destitute got more than a dry fig. They turned to the public dole, where they received rations of bread, wheat, cash, or clothing, all purchased with charitable donations from members of the community.

This unfavorable attitude toward begging in ancient Judaism might have been reinforced in our period by a similar disapproval, or rather low estimate, of begging in Islam, exemplifed by a popular saying in the Muslim tradition literature (which, we noted, echoes a Jewish midrash): "The hand on top is better than the hand below. The hand on top gives,

[1] A far-reaching compilation of biblical and rabbinic ideas of poverty is to be found in the eighteenth-century *Meʿil ṣedaqa* (written in Ottoman Smyrna by Elijah ha-Kohen b. Solomon Abraham, d. 1729, and published posthumously in 1731); see Abraham Cronbach, "The Meʿil Ẓedaḳah," who reorganizes these concepts into a concise summary by theme. The context of this treatise is the rampant poverty afflicting the Jewish communities of the Ottoman Empire at the time. Rabbi Elijah explicitly took the part of the poor in some of his other writings. See Ben-Naeh, "Poverty, Paupers, and Poor Relief in Ottoman Jewish Society," 200–201, 203, 207, and in the English version of this article, 156–57.

[2] Cronbach, "The Meʿil Ẓedaḳah," 519–20.

[3] Hilkhot mattenot ʿaniyyim 7:7.

and the one below begs." Similarly, Christianity teaches "it is better to give than to receive." In theory, at least, begging ranks low in all three religions, though both Christianity and Islam, particularly in its Sufi form, admired ascetic poverty. Sufi beggars peppered the Islamic landscape while stories about beggars in Arabic literature entertained the elite.[4] Rabbinic Judaism, in contrast, eschewed ascetic poverty and the begging that so often accompanied it. The Judaeo-Arabic refrain, "may God make you always one of the besought rather than a beseecher," and the Hebrew adage based on a midrash, "be one of the givers, not of the takers," both of them pronounced in many a Geniza letter of appeal, reflect the Jewish point of view very well.

This concept explains, too, the self-perception of the conjunctural poor and the shame they felt about their sudden indigence. Their letters, I have argued, especially those having the literary form of the Arabic petition, should not be considered "begging letters," as they have been imprecisely called. Rather, they constitute dignified instruments of request, well recognized from the surrounding culture, where they were often used to apply for help from the Islamic ruler himself. Moreover, they reflect the time-worn Near Eastern and contemporary Islamic system of patronage, wherein the giver gained satisfaction from taking care of his dependents and the taker gave something back, if only in the form of prayers for the benefactor's welfare and public praise for his generosity.

Jewish literary traditions about poverty and charity reverberate in our sources. They begin with the Bible itself. Bibical epigraphs to letters, perched like conspicuous inscriptions on buildings; introductions comprised of biblical verses (twice, sixteen of them!);[5] and scriptural fragments quoted within the bodies of letters—many of which had received prominence in rabbinic literature in connection with charity—exhort would-be givers to follow the charitable advice of holy writ.[6] Prominent, of course, are verses including the word *ṣedaqa*, which in the Bible usually means "righteousness" but was understood by Geniza people in its postbiblical meaning of "charity." Favorites include the verses "Happy is he who is thoughtful of the wretched; in bad times may (the Lord) keep

[4] Sabra, *Poverty and Charity in Medieval Islam*, 41–50.

[5] BM Or 4856.1, ed. Scheiber, *Geniza Studies*, 76–79 (Hebrew section); TS 24.27, which the editor, David Doron, calls "A Hymn of Praise and a Letter of Supplication," in *Genizah Research after Ninety Years: The Case of Judaeo-Arabic*, eds. Joshua Blau and Stefan C. Reif (Cambridge, 1992), 47–52 (containing only a few lines of the Hebrew introduction); cf. also *Med. Soc.*, 5:80–82.

[6] Gershon Weiss, who died prematurely, was engaged in a study of the use of biblical verses in Geniza documents, "Quotations from the Bible in Documents from the Cairo Geniza" (Hebrew), *Beth Mikra* 74 (3) (1978), 341–62.

him from harm" (Psalm 41:2; Palestinian Talmud Pe'a 8:8, 21b and elsewhere)[7] and "Charity saves from death" (Proverbs 10:2, 11:4; Babylonian Talmud, Bava Batra 10a). Appearing frequently are the quotations "Blessed are those who do justice (charity) and deeds of chaity at all times" (Psalm 106:3) and "He who is generous to the poor makes a loan to the Lord, He will repay his due" (Proverbs 19:17; Bava Batra 10a). Used as a favorite exhortation when asking someone to urge others to assist a suppliant is the verse "For the work of charity shall be peace" (Isaiah 32:17), which, by varying the vocalization of one word, was interpreted by the rabbis to mean "he who presses others to give charity shall be granted peace" (Bava Batra 9a, and codified by Maimonides, Hilkhot mattenot ʿaniyyim 10:6).[8] In practice, every letter of recommendation for a poor person actuated this rabbinic ideal.

More oblique is the verse "Happy shall you be who sow by all waters, Who let loose the feet of cattle and asses" (Isaiah 32:20), except to those who knew that it was interpreted midrashically to mean "sowing means giving charity" (e.g., Bava Qama 17a, Avoda Zara 5b). A natural text is the proverb "A gift in secret subdues anger" (the anger of God) (Proverbs 21:4; Bava Batra 9b), a sentiment remarkably echoed in almost the same words in the Islamic ḥadīth literature.[9] Appearing often, too, is the first half of a verse from Psalm 74:21, "let not the downtrodden turn away disappointed," whose continuation in the Bible, "let the poor and needy praise Your name," would not have been lost on potential givers, even though in the Bible it refers to God. This verse is not commented upon in the talmudic literature but it is quoted by Maimonides in what appears to be a novel formulation of that older law stating that beggars must not be turned away empty-handed, but given at least a token gift.[10]

Themes from the daily experience of poverty and charity crop up in poetic compositions preserved in the Geniza. The Jewish military administrator of Fatimid Syria in the final decades of the tenth century, Menasse

[7] This was a crux verse for the Jewish value of considerateness toward the poor in the Middle Ages in general; Abrahams, *Jewish Life in the Middle Ages*, 332.

[8] In TS 8 J 13.8, the suppliant writes that he had written to the addressee's community to assist him, but they had neglected him, so he is writing now and attaching a letter so the addressee can represent him. Quoting the crux verse and the talmudic inference, he goes on, "You know that it is more admirable to convince others to give charity than to give charity oneself, as it is written, 'For the work of charity shall be peace.'"

[9] Quoted by al-Ghazzālī in *Iḥyā' ʿulūm al-din*, 1:222: *ṣadaqat al-sirr tuṭfi' ghaḍab al-rabb*.

[10] Hilkhot mattenot ʿaniyyim 7:7. The source of the formulation of this law and the rationale for citing a verse from outside the Torah are not clear; cf. Bar-Ilan, *Niqdash bi-ṣedaqa*, 63–65. The commentators connect it with a tannaitic statement in Bava Batra 9a. We may surmise that the formulation, particularly the verse quoted, was influenced by the rhetoric of the Geniza letters of the poor.

ibn al-Qazzāz, comes in for high praise in a panegyric ode to his son for feeding the hungry and clothing the naked (also for being generous to orphans and widows).[11] Menasse was a Karaite, and his generosity, crossing denominational lines within the community, is matched by examples of Karaites receiving charity from the community.[12]

Even synagogue poetry mimics real life. Sixty years ago the scholar of Hebrew poetry, Menahem Zulay, published from the Geniza a liturgical poem (*piyyuṭ*) for the Sabbath in praise of charity.[13] It is an unusual specimen in that it takes as its starting point one biblical verse and follows a single theme through to the end, a theme that is not connected with the usual synagogue prayers. Zulay was not certain of the provenance. Writing before the main work on Jewish social history in the Geniza period had been started, he did not know that the verse in the superscripture declaring the poem's theme, "Happy is he who is thoughtful of the wretched," is one of the most frequently quoted biblical statements in Geniza letters of appeal and that many of the other verses quoted or alluded to in the poem are also common. The piyyuṭ's motif that charity breeds reward is also found everywhere in the letters; so too the virtue preached in Proverbs of giving in secret (*mattan be-seter*), as well as the call to "cover" the poor. One verse plays on the midrash about Hillel and the man from a "good family" who needed a horse and an accompanying slave to restore what he had lost through his sudden fall from wealth, a precedent accepted by Maimonides in his codification of the laws of "Gifts for the Poor." This liturgical poem is therefore consistent with major ideas of poverty and charity current in the Jewish community of Egypt during the classical Geniza period (Zulay dated it no later than the tenth to eleventh century) and it may have been written there and recited from time to time on the Sabbath to exhort people to donate in the synagogue, whether for routine purposes or for some major ad hoc philanthropic effort.

Also to be found in the letters are quotations from or allusions to rabbinic literature, though they are rarer than verses from the Bible. Perhaps this reflects a well known characteristic of this world, where rabbinic texts played a less central role than the Bible, reversing the educational priorities of the Ashkenazi orbit of northern Europe. Some of the examples are quite interesting. The biblical theme of giving in secret, much

[11] TS 32.4, ed. Mann, *Jews*, 2:11–13, lines 25–27.
[12] See Rustow, "Rabbanite-Karaite Relations," 154–55.
[13] Menahem Zulay, "A Qerova in Praise of Charity" (Hebrew), in *Ereṣ yisrael u-fiyyuṭeha: meḥqarim be-fiyyuṭei ha-geniza* (Eretz Israel and Its Poetry: Studies in Piyyutim from the Cairo Geniza), ed. Ephraim Hazan (Jerusalem, 1995), 375–84 (article originally published in 1945).

praised in letters as well as in Maimonides' Code, finds expression in a document filled with rabbinic passages about charity.[14] The wish to be "one of the givers and not one of the takers," as mentioned, stems from an ancient rabbinic homily.[15] It functions in the Geniza letters as a prayer to avert conjunctural poverty, resonant also with the anti-begging sentiment in Judaism and parallel to the similar tradition in Islam. The phrase even occurs in a letter from Kiev-Rus, attesting that this sentiment, like many other ideas of poverty and charity, was shared by Jews in Europe and suggesting that many of the ideas of poverty and charity reflected in the Geniza documents, if not all the practices of poor relief, can be taken as more universally applicable to medieval Jewry in general.

For foreigners, especially, the rabbinic precept "the poor of your household come before the poor of your town, and the poor of your town come before the poor of another town" played an important role in the social reality of poor relief. This privileging of family and locality over the unknown stranger, pre-Islamic in its origins, appears, as we saw, in the early code of Islamic law by al-Shāfiʿī. We have here, then, a structural characteristic of traditional societies, a version of the adage "charity begins at home." The most exceptional case of rabbinic discourse in a Geniza letter is an early thirteenth-century mini-sermon in Judaeo-Arabic on the deservedness of the poor, written by the elementary school teacher, cantor, and court clerk Solomon b. Elijah, possibly an invention of his own.[16]

Another rabbinic idea very common in the Geniza (expressed in a dozen and a half letters) is the notion that charity takes the place of the burnt sacrifice (*qorban*) in the ancient Temple of Jerusalem—in effect, that a gift to the poor ("better than all the qorbanot," as one letter-writer claims) propitiates God and atones for sin.[17] This doctrine was enunciated shortly after the destruction of the Second Temple in 70 CE, when Jews despaired at the loss of their chief means of worshiping the divine. The expression in the Geniza is "may your charity be like a completely consumed sacrifice (*qorban kalil*) on the (Temple) altar." The notion may have been reinforced by the Islamic belief that charity creates nearness to God (*qurba*, from the cognate Arabic root). Jewish writers sometimes express the Islamic idea more directly, as when the petitioner from Alexandria Yaḥyā b. ʿAmmār writes, "do with me what will bring you

[14] TS 24.32.

[15] Midrash Zuṭa, Shir ha-Shirim, ed. Buber, 20 (par. 1:15).

[16] The letter, *TS Arabic Box 46.253, is translated in Cohen, *The Voice of the Poor in the Middle Ages*, no. 24.

[17] See Berakhot 55a. For the statement "doing charity is better than all the qorbanot," see Sukka 49b. Cf. also *Med. Soc.*, 5:354. See also Cronbach, "The Meʿil Ẓedaḳah," 513.

close to God."[18] The *qorban kalil* metaphor represents another one of those notions shared by European Jews who came through Egypt.[19] We see, therefore, how, even in religious rhetoric, Jewish ideas of poverty and charity—a diachronic force in Jewish history—intertwined with concepts of the poor and poor relief that floated around in the Islamic environment.

The diachronic factor, of course, was not static. Both the Geniza documents and Maimonides' Code attest to modifications in the talmudic charity system, influenced, we have suggested, by synchronic forces. The most startling modification took place in the public distribution of bread. At least in Fustat, the old quppa and tamḥui seem to have disappeared as separate institutions, obliterating the distinction made in the Talmud between the local poor and all the rest, principally wayfaring foreigners. We have suggested that this arose out of specific social and economic circumstances. Burdened with an exceptionally large and constant influx of foreign Jewish poor, it appears that the two institutions of quppa (for the local needy) and tamḥui (for the foreign poor) were collapsed (how early we cannot say) into a single system of revenue and disbursement. A compromise was reached between the daily tamḥui and the weekly quppa by instituting a twice-weekly distribution of bread, on Tuesday and Friday, supplemented by the less regular allocations of wheat, cash, or clothing. The change from the talmudic system is reflected in enigmatic statements in Maimonides' codification of the quppa/tamḥui laws, statements that caused some consternation to later commentators. The seeming departure in his Code from rabbinic norms is better understood thanks to Geniza documents describing day-to-day practice of public poor relief in Egypt.

The same can be said for Maimonides' emphasis, stronger than the Talmud's, on the central importance of the redemption of captives. His formulation assumes quotidian social meaning when we read about the plight of captives in the Egypt of his time and about the urgency for communities and individuals to contribute, frequently and generously, to alleviate this ever-present plague. Maimonides found himself at the center of countrywide efforts to come to the rescue of such unfortunate coreligionists. This was not a matter of "influence" of Islam per se, though it exhibits the impact of events in the Islamic environment upon a Jewish legal tradition.

The question of continuity versus acculturation, it is important to emphasize, is not only, or simply, one of borrowing or imitation, or of the

[18] See above, chapter 7, and Cohen, *The Voice of the Poor in the Middle Ages*, no. 1; another example in Bodl. MS Heb. b 13.54, line 21 ("please do in this matter what will bring you close to God"), cf. *Med. Soc.*, 3:44.

[19] TS 8.200, cf. *Med. Soc.*, 5:88, and 530n217. This letter of supplication is written in Hebrew and has a spelling peculiarity in one word indicating the writer knew no Arabic. It also mentions the monetary unit "litra."

influence of religious, political, economic, or social forces in the wider society. Equally important is the matter of parallel and similarity. Starting with basics, the fact that Jews shared the same term for charity with Muslims, *ṣedaqa/ṣadaqa*, as well as the idea that charity is a duty, enshrined in religious law, resonated loudly for both groups. To the extent that specific practices and ethics of charity in Islam had similarities with pre-Islamic Judaism, the Judaeo-Islamic symbiosis of cultures was felt to be all the more compelling: the fact that Muslims practiced charity in some similar ways, in accordance with their own religious convictions and traditional continuities, strengthened forces of continuity among the Jews. That the ancient Jewish pious foundation, despite dissimilarities, resembled the Muslim waqf in a general way reinforced Jewish traditional praxis in that area, as well. These and other homologies gave people a sense of sameness across confessional lines, without having to collapse religious distinctions. This, then, is part of the picture of the intertwined worlds of Jewish-Islamic coexistence in the period, an aspect that often gets lost in the maze of debates about who took what from whom.

Finally, the picture that emerges from this book tells something important about the nature of Jewish community, a prominent aspect of the longue durée. We have noted that the gap between rich and poor was relatively narrow, especially compared to Christian communities of Europe, whose historical study has offered so much insight into our subject. The charitable enterprise reinforced proximity between the classes and strengthened solidarity between the poor and the nonpoor, contributing to unity within the Jewish community. Poor relief, furthermore, did not serve as a means for enforcing hierarchy. We get little sense that the Jewish leadership used charity to assert its authority, in the way Peter Brown suggests for the bishops in the later Roman empire.[20] The only possible exception is the nagid Joshua Maimonides in the fourteenth century, whose rescripts express a firmness seemingly reflecting both the decline of the community at the time and the stern and centralized rule of the Mamluk Sultans.[21] For the most part, however, our study, focusing mainly on the Fatimid-Ayyubid period (the "classical Geniza period"),

[20] Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison, 1992), chapter 3 ("Poverty and Power"); idem, *Poverty and Leadership*, 1–73. Burton Visotzky makes a similar point, but from a different angle, in his study of the ancient Palestinian midrash Leviticus Rabba, *Golden Bells and Pomegranates*, 124: "[I]f Peter Brown suggests that charitable giving was a means of gaining power for the bishops, I would suggest that the rabbis' general powerlessness relieved them of any such political burden." In Jewish circles, Visotzky argues, giving to the poor was more direct; ibid., 128ff.

[21] See Mark R. Cohen, "Correspondence and Social Control in the Jewish Communities of the Islamic World: A Letter of the Nagid Joshua Maimonides," *Jewish History* 1, no. 2 (Fall 1986), 39–48.

suggests that private charity was at least as important as the public arena, the arena of the alms distributions, and that giving to public charity was itself widespread, including as donors even those who drifted back and forth between poverty and self-sufficiency. In this respect, too, by fostering solidarity, charity acted as one of the major agglutinates of Jewish associational life.

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