

(4) [...] leuco-sapphire and semiprecious stones	$\frac{1}{2}$ 11 $\frac{1}{2}$ ²⁶
(5) Two [...]	$4\frac{2}{3} + \frac{1}{8}$
(6) A [<i>ni</i>]qāb ²⁷ and a pair of scarves ²⁸	$1\frac{1}{2} + \frac{1}{12}$
(7) A full taqni'a ²⁹ and full maqṭa' ³⁰	$1\frac{3}{8}$
(8) A green dabīqī linen kerchief	$3\frac{3}{8}$
(9) An Iskandarānī malḥafa ³¹	$1\frac{3}{12}$
(10) A silk ḥulla ³²	$3\frac{1}{3} + \frac{1}{4}$
(11) A doubled (?) half mantle ³³	$3\frac{1}{4} + \frac{1}{24}$
(12) A locally-made maqṭa'	$\frac{5}{8}$
(13) A white wasaṭ' ³⁴	2
(14) Two Iskandarānī maqṭa's	$1\frac{2}{3} + \frac{1}{4}$
(15) Three maqṭa's [...]	$\frac{3}{4}$
(16) A taqni'a	$\frac{2}{3} + \frac{1}{4}$
(17) A quilt cover ³⁵	$\frac{3}{4}$

al-Amshāṭī, on his arrival in Egypt, III, 42, line 3. For the meaning of *billawr*, see also Shy, "Terms," 237–38.

²⁶ This is a subtotal of jewelry added on verso, lines 1–4. I do not know why it was not included in the total on recto.

²⁷ A *niqāb* is a face cover with two holes for the eyes. See Goitein, *Med. Soc.*, 4:320, 454, n. 75. For veiling women's faces in the Geniza society, see Friedman, "Sexual Mores," 91–99; Stillman, *Arab Dress*, 138 ff.

²⁸ Arabic *raddāt*.

²⁹ I have not found the *taqni'a* in dictionaries. Other forms of *qn'* mean veil, and I assume that this too is a type of veil.

³⁰ Robe or cloth. See II, 16v, line 8 and 325, n. 26.

³¹ For this item, a blanket, see Goitein, *Med. Soc.*, 4:167, 401, n. 124. According to Diem, *Dictionary*, 195, vocalize *milḥafa*. Iskandarānī = Alexandrian textile.

³² Gala costume. See 178, n. 24.

³³ Arabic *niṣṣridā'*. See 169, n. 11. 'Doubled' translates *mushaffa'*; similarly IV, 61v, line 1: *maqṭa' mushaffa'*. But the exact meaning of the term is unknown.

³⁴ Broad belt.

³⁵ Arabic *wajh liḥāf*. Perhaps translate: a blanket cover. The translation of *wajh* follows Diem, *Dictionary*, 222, in reference to *wajh matraḥa*, a mattress case.

III, 55 Letter from Peraḥyā Yijū to his Brother Samuel, Including Questions of Religious Law

Probably Maḥalla, seventies or eighties of twelfth century

ULC Or. 1080 J 38¹

On the verso, the address is given both in Hebrew and Arabic characters. In addition, it contains a postscript in one line by the sender and the draft of an answer by the recipient, Peraḥyā's brother Samuel. However, the script cannot be the same as that of the writer of III, 48. Although III, 48 was written by Samuel in Sicily while he was a boy, whereas in III, 55 he was a member of the rabbinical court of Fustat {or rather: was a schoolteacher there} and father of a son, still the two scripts are far too different to admit the possibility that they belong to one and the same person. However, an examination of those two lines written in the left upper corner of III, 55v shows that the handwriting is in the style of the scribes of the Fustat court, which we know from very many documents, especially those emanating from the pens of Hillel b. Eli at the end of the 11th century and even more of Ḥalfon ha-Levi b. Manasseh in the first part of the 12th. Accordingly, it seems certain that Samuel dictated these lines to a scribe of the court. {See the added comments below for another interpretation.}

No. III, 55 is interesting, because it shows us how the Yijū family, who had been traders in the Mediterranean (Joseph² and Mevassēr) and the Indian Ocean (Abraham), ended up as religious dignitaries. The informal way, in which Peraḥyā addresses here four {three} questions on religious law to his brother with the request to secure an authoritative answer, clearly indicates (a) that the two brothers were *daiyyānīm*, or judges, and (b) that while Samuel was in Fustat (as the address shows), the central seat of Jewish religious learning in Egypt, Peraḥyā must have been in some smaller town in Egypt (for the letter indicates that it was not being sent overseas), and not even in Alexandria, where also a respectable Jewish court with important scholars was in existence at that time.

¹ {In Reif, *Bibliography*, 236, 404, TS 12.322 and ULC Or. 1080 J 38 are confused. Goitein's citations concerning both documents are correct.

² Joseph was a schoolteacher. For the suggestion that he had earlier been involved in Mediterranean trade, see the page 745.}

The evidence of our letter is corroborated by other testimonies. An enactment (*taqqānā*), which the famous Maimonides promulgated in Fustat in May/June 1176, was cosigned by nine other scholars, one of whom is called Samuel b. Joseph. Although these are common names, there is no reason to doubt that he was Peraḥyā's brother.³

In the same volume, a responsum, or answer on a question of religious law, by a scholar named Peraḥyā b. Joseph is printed (Maimonides himself had written his opinion on the same question). Peraḥyā modestly writes that he was not a scholar important enough to give a legal opinion and was doing so only at the request of the Nāsī (communal leader tracing his descent back to King David) Judah [b. Josiah]. Incidentally, he came to the same result as Maimonides, although obviously he had not read his opinion.⁴

Again, these are common names. We find, e.g., a Peraḥyā b. Joseph as a member of the rabbinical court of Fustat at the end of the 11th and beginning of the 12th centuries.⁵ However, as the chronological and other circumstances match, we have every reason to assume that the man who wrote the responsum for the Nāsī Judah was none other than our Peraḥyā of the Yijū family.

There is even more to it. In 1187, Maimonides' court published a list of *dayyānīm* in certain provincial towns of Egypt, who alone were entitled to enact marriages or divorces. The *dayyān* of Maḥalla is called Peraḥyā.⁶ As the content of II, 55 clearly shows that Peraḥyā Yijū was at that time a religious judge in a provincial town in Egypt, it is highly probable that he was the man referred to in the decree of Maimonides court of 1187.⁷

Of the Geniza documents other than those published here, which contain the name Peraḥyā b. Joseph, as far as I can see only TS 12.487 belongs to our Peraḥyā. This is the end of a long deed of lease written in the middle third of the month of Tevet, 1493 E.D., which corresponds

³ See Maimonides, *Responsa* 2:444 (no. 242). {Samuel was a teacher, and we have no information to suggest that he was a judge; see III, 52, line 8 and III, 58, introduction and lines 6–7. The signatories to Maimonides' enactment include judges, teachers and other learned men. As Goitein noted above, Samuel was asked in III, 55 to procure a ruling, not to give one himself; see III, 55a.

⁴ Maimonides, *Responsa*, 2:655 (no. 373).}

⁵ See TS 20.31 (date 1092); TS 8.142 (1096); TS 13 J 2, f. 3 (1106).

⁶ See Maimonides, *Responsa*, 2:624–25 (no. 348). {Cf. Sambari (Shtober), 219–20.

⁷ Cf. Goitein, "Autograph," 191–94 and n. 32; Maimonides, *Responsa*, 2:516–19; 4:8–9; below III, 56.

to December 19–28, 1181. The text says that the document is signed by members of the rabbinical court of Fustat and others. As a court consisted of a minimum of three members, and as our Peraḥyā signs as the third or fourth, it cannot be discerned with certainty, whether he had been transferred to Fustat by this time or happened to be there by chance, perhaps in connection with the lawsuit dealt with in the deed.⁸ In the signature, his handwriting appears to be slightly more stylized than in the letters published here, but it is unmistakably the same.⁹

{Other documents reveal that no member of the Yijū family was engaged any more in intercontinental trade. A letter by Joseph b. Peraḥyā, Peraḥyā b. Joseph's son, is in TS 12.322.}¹⁰

About 60 years later there lived in Egypt another scholar called Peraḥyā b. Joseph. We find him too in connection with a Nāsī (a descendent of King David), Solomon b. Jesse (Yīshay), this time endorsing an opinion given by the latter. He was perhaps a grandson of our Peraḥyā.¹¹

{On III, 55, see further Goitein, "Responsa by Maimonides," 190–91; Goitein, "Chief Justice," 191–92. In both articles, Goitein quoted and discussed the postscript on verso, concerning the inability to write a responsum because of the *Rayyis*, whom Goitein identified as Maimonides. It is questionable, however, that this was a draft of Samuel's reply, which he dictated to a court scribe, as it is not clear why this should have been done. As noted above, Samuel had not been requested to write a responsum but rather to procure one. Presumably he brought Peraḥyā's letter to some authority and requested that the latter write a responsum to the questions found in it. Instead of doing so, this scholar jotted down on III, 55, that, neither he nor R. Jacob¹² could write a ruling, due to the insistence of the

⁸ For a visit Peraḥyā paid to Fustat, see III, 56.

⁹ Goitein subsequently identified additional letters written by Peraḥyā, e.g., TS 8 J 20, f. 4 (see Goitein, *Med. Soc.*, 4:562, n. 51) and TS 8 J 17, f. 20 (= III, 55a). Peraḥyā's handwriting is identifiable in several additional fragmentary letters. Several of these are cited in pages 83–87.

¹⁰ See III, 58 and pages 83–88.}

¹¹ See Mann, *Jews*, 2:209, sec. 5 (TS 10 J 22, f. 8). {Peraḥyā wrote the Nāsī Solomon a letter, in which he sent regards from his sons Moses and Samuel and mentioned R. Joseph (TS 13 J 19, f. 28; Westminster Misc. 102). As his handwriting shows, this is the same grandson Peraḥyā b. Joseph (rather than Peraḥyā b. Nissim, as suggested by Goitein, "Negidim," 238) and Joseph may have been his cousin, Joseph b. Moses. This is probably the same Peraḥyā b. Joseph, who wrote the interesting letter TS 13 J 27, f. 10 concerning, *inter alia*, Rashi's (?) Commentary to Qiddushin.

¹² Probably Jacob ha-Kohen b. Joseph, a judge active between 1161–74 (see Goitein, *Med. Soc.*, 2:513, no. 21, where the second date (1164) is to be corrected according to 2:458, n. 69; 3:443, n. 44). Concerning him, see Goitein, "Additions." A responsum written by him is found in TS G 1, f. 29.

Rayyis that he alone write responsa. This reconstruction is confirmed by III, 55a; see below.

The information on Peraḥyā's judgeship in al-Maḥalla cited above from Maimonides' 1187 enactment is to be complemented by III, 56, and especially by TS 13 J 25, f. 1,¹³ which is the beginning of the text preserved in TS 16.135, earlier edited by S. Assaf.¹⁴ The combined manuscript contains an enactment by the Jewish community of al-Maḥalla, confirmed by Maimonides, which rejects the demand of the Head of Egyptian Jewry Abū Zikrī to collect payments from the local community and affirms loyalty to the judge Peraḥyā, who, as suggested by Goitein,¹⁵ is to be identified as Peraḥyā b. Joseph Yijū. Among the Egyptian Jewish scholars during Maimonides' lifetime, Sambari indeed lists: R. Peraḥyā b. R. Yose [= Joseph], the judge of 'al-Muḥulla' [= al-Maḥalla]¹⁶ The al-Maḥalla affair requires additional study, and I limit myself here to a few very brief remarks. The action taken by Maimonides in connection with the administration of marriage and divorce, as well as that concerning a ban on mentioning the *nāshūt*, the authority of the Head of the Jews,¹⁷ were probably related to the events associated with the al-Maḥalla community's enactment. If as convincingly argued by Goitein elsewhere,¹⁸ Maimonides' recognition as a communal leader in Egypt is partially due to his bold stance against Abū Zikrī's highhanded tactics, we can conclude that the master's protection of the judgeship of Peraḥyā Yijū of al-Maḥalla played a role in his ascendancy.¹⁹

Contents

- A. Preamble with reference to a previous letter (lines 1–4).²⁰
- B. Reference to the arrival of a scholar, full of praise for Samuel, and disapproval that for a certain occasion, guests others than one Abu 'l-Faraj had been invited (lines 4–6).

¹³ Ed. Goitein, "Maimonides' Autograph," 191–94.

¹⁴ Published in Maimonides, *Responsa*, 2:516–19 (no. 270; cf. 4:8–9).

¹⁵ Goitein, "Maimonides' Autograph," 193, n. 32.

¹⁶ Sambari (Shtober), 219.

¹⁷ Sambari (Shtober), 219–20; Maimonides, *Responsa*, 2:624–25 (no. 348) and 2:596–99 (no. 329), respectively.

¹⁸ Goitein, "Maimonides' Life," 32.

¹⁹ These matters are now discussed in Friedman, "Maimonides and Zūṭā."

²⁰ Samuel's only and still unmarried son is called here Sheikh Abū 'Imrān, which is the *kunya* or honorific of a person called Moses. This does not mean that his uncle Moses (see III, 46) was already dead, when he was born. {He probably was dead; see III, 58 and page 98, n. 44.}

- C. Four {three} questions on religious law (lines 6–16).²¹
- D. Request to honor the bearer of the letter and to convey to him the answers to the questions mentioned, as far as they were ready (line 16-margin, line 8).
- E. Request to help a dyer, called Sālim, who had fled from Cairo because of the poll tax (*jāliya*, margin, line 9–top, line 7).²²
- F. Admonition to look after the writer's aged mother; greetings to her, to Samuel and his only son and to his wife, from the writer's wife, called Umm Yūsuf, 'Mother of Joseph,' after her son, greetings from that son Joseph and his sister Yumn,²³ and, of course, the writer (top, lines 8–16).²⁴

Postscript on verso: No payment for the transport of the letter was required.²⁵ Draft of answer by the writer's brother Samuel {rather, by the scholar whom Samuel approached for a ruling}:

I beg to inform you—*may your Rock preserve you!*—that I have thought about your letter, but am not able to write a responsum (*fatwa*), nor can Rabbi Jacob do so, because of the *Rayyis*. However, I shall inform the *Rayyis*, and he will write you the responsum.²⁶

²¹ It is highly interesting that Peraḥyā writes in reference to a conditional fine in a betrothal deed, that he followed the procedure of 'our master' {*mu'allimunā*, 'our teacher'} Zechariah, certainly the Tunisian-Sicilian scholar mentioned in III, 43v, lines 7, 17; III, 45, line 11 [and in III, 48v, line 35].

²² Evading the payment of the poll tax by fleeing from one's hometown is a very frequent subject in the Geniza papers from Egypt. {Cf. Goitein, *Med. Soc.*, 2:382. This is likely to be the same Sālim mentioned in III, 52, line 12.}

²³ Yumn means 'Luck'; a woman with this name appeared already in the Yijū family in III, 29, line 24.

²⁴ The letter is addressed to *murabba'at al-'aṭṭārīn* [the Square of the Perfumers] to Abu 'l-Fakhr al-Amshāṭī, as III, 46. The address contains the two formulas found also at the end of III, 41. The Arabic formula is even more detailed here: 'Deliver it—and you will be rewarded—to Samuel.'

²⁵ {As expressed in the address here by the Hebrew *emūnā ōmen* and the Arabic *balligh tūjar* (or *tu'jar*); see I, 32v and III, 29v, address, lines 3–4, and accompanying notes (257, n. 13; 687, n. 48). However, the postscript here on verso states: "Grant the *elder*, who bears this letter, an honorarium (*akrimbu*); you will (or: may you) lack nothing." Also on recto, lines 16–17, the writer requests that something be given to the letter carrier. For the bearer of another of his letters (TS 8 J 27, f. 8) Peraḥyā requests enlisting assistance from Maimonides and *al-maskil* (title of a judge; see Goitein, *Med. Soc.*, 2:321; Joseph the judge, *ha-maskil* b. Nadiv the munificent, Banner of the Yeshiva [*degel ha-yeshivā*] is mentioned among the genealogies listed in ULC Or. 1080 J 149, in which Maimonides and his family also appear; see pages 91–92).}

²⁶ The *Rayyis* referred to here certainly is none other than Maimonides. It is very characteristic of Maimonides' endeavors at religious reforms in Egypt that he insisted in personally answering questions addressed to members of his court. This certainly contributed much towards the unification of religious and legal practice. {See also Friedman, "Responsum on *Reshut*," 347, n. 79.}

{III, 55a Letter from Peraḥyā Yijū to his Brother Samuel, Complaining of his Failure to Procure a Responsum

Probably Maḥalla, seventies or eighties of twelfth century

TS 8 J 17, f. 20

This is an almost complete letter, missing only the top upper corner of recto and most of the address on verso. The writer is named Peraḥyā, and the addressee is his brother. From the handwriting and contents it is evident that this is a letter by Peraḥyā b. Joseph Yijū to his brother Samuel, in Fustat. It consists of four sections: (1) Opening remarks, dealing with personal matters, including their mother's illness and Peraḥyā's apology for being unable to come for a visit (lines 1–11). (2) The affair of the responsum; see below (lines 12–16). (3) A request for assistance in collecting a debt and in paying the poll tax (line 17-margin, line 15). (4) Personal regards and closing remarks (margin, line 16, continued at top, most missing). Verso contains a one-line addition, in which Peraḥyā inquires whether Samuel has made a bible amulet or an anklet for his son, to protect him.¹

Sec. 2 concerning the responsum is of interest to us here, as it clarifies the ambiguity concerning this matter in III, 55. We can now reconstruct the events as follows: During the week in which the Torah portion *We-ēle ha-Mishpāṭim* (Exod. 21–24) was read in the synagogue (usually February or March), Peraḥyā had written Samuel and requested that he procure a responsum to three queries (this letter is mentioned in III, 55, line 2). When no answer arrived, Peraḥyā repeated the request in III, 55. Samuel took that letter to an anonymous scholar and requested that he write a responsum. From III, 55a, line 12, it appears that this scholar was named R. Menaḥēm, but his identity is unknown.² In any event, this juriconsult jotted down on III, 55v, that neither he nor R. Jacob was able to write a responsum, because of the *Rayyis*' objection. During the week in which the Torah portion *Wa-yaqhēl* (Exod. 35–38) was read in the synagogue, i.e., four weeks after Peraḥyā's first letter, Samuel wrote him of his failure to

¹ {The postscript on verso is discussed by Goitein, *Med. Soc.*, 4:222, 429, n. 528, where he comments that it seems that Peraḥyā was a member of the Ben Yijū family. Our identification of the writer as the distinguished judge of al-Maḥalla adds an interesting dimension to his advocacy of the amulet or anklet. Goitein did not include this document in the India Book, and as far as I know he did not prepare an edition of it.

² Perhaps Menaḥēm b. Isaac b. Sāsōn, judge in New Cairo, from whom documents from the early 13th century have been preserved. See Goitein, *Med. Soc.*, 2:514, no. 26. If so, II, 55 and II, 55a, may have been written some years later than previously assumed.

procure the requested responsum (this letter is mentioned in III, 55a, line 2). In III, 55a, Peraḥyā responds to that letter and criticizes Samuel's handling of the affair. Peraḥyā had not requested a written responsum at all, as he must have known that because of Maimonides' objection, no other juriconsult would agree to write one. We can only guess whether Peraḥyā preferred not asking Maimonides because the master was busy and might delay his response or he did not want to commit himself to following his ruling.³

(12) Another matter: You have disappointed (me)⁴ by having gone to Menaḥēm or spoken (13) to him or requesting from someone to write a responsum. What I had requested (14) of you is that you ask a query orally, hear the essence of the answer and write it to me. (15) Even though I have already relied on (or, achieved) a proper (decision) in this matter,⁵ I nevertheless want to consider (16) someone else's opinion.}

³ In the letter by Peraḥyā b. Joseph (the grandson, TS 13 J 19, f. 28; see 787, n. 11) to the Nāsi Solomon, he mentions that he informed R. Joseph of the enactment not to write responsa:

He said: "If people ask me a question, how can I not reply to them?!" I said to him:

'A man refrains from greater things for the sake of *peace*.' He said: 'The matter has already passed; I wrote a responsum and sent it...'

⁴ Arabic *afṣala*. *Afṣala* can mean 'adulterate (money)': Hava, *Dictionary*, 562. But here 'disappoint' (Piamenta, *Dictionary*, 374, for the fifth form, *tafassala*) seems to fit the context better. According to Lane, *Dictionary*, 2398, *fasula* means 'was ignoble,' etc.

⁵ Arabic *inḥaztu fibā ilā 'l-wājib*.}