

Letter on questions of religious law and other matters by Peraḥya Yijū,  
most probably from Maḥalla, Egypt, to his brother Samuel in Cairo

Seventies or eighties of the 12th century

ULC Or 1080 J 38

17 cm broad. Of the height, 12-3 cm have been preserved, but clearly not much has been lost. Thus, we have here the same unusual size of paper, which we have already found in No. 75, another letter of Peraḥya, while in No. 69 and 74 he used oblong sheets, as was normally done in letters.

Light-brown, very thin paper, folded only 4 times, the folds being distant from each other about 3 cm. There are some holes and the writing is damaged also on the folds. How much exactly was lost at the bottom of the page cannot be made out.

On the backside, the address is given both in Hebrew and in Arabic letters. In addition, it contains a postscript in one line by the sender and draft of an answer by the receiver, P.'s brother Samuel. However, the script cannot be the same as that of the writer of No. 79. Although No. 79 was written by Samuel in Sicily, while he was a boy, whereas in No. 80 he was a member of the rabbinical court of Cairo and father of a son, still the two scripts are far too different than 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 No. 80 verso proves that they are in the style of the scribes of the Cairine 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 Ḥalfōn b. Menasse in the first part of the 12th. See Index of

vol. I under these names and compare e.g. the letter Ḥalfōn here to that used by Ḥalfōn. It seems therefore sure that Samuel dictated these lines to a scribe of the court.

No. 80 is interesting, because it shows us the family of the Yijūs, who had been traders in the Mediterranean (Joseph and Mevassēr) and the Indian ocean (Abraham), ending up as a family of religious dignitaries. For the informal way, in which Joseph addresses here f o u r questions on religious law to his brother with the request to secure an authoritative answer, clearly indicates (a) that the two brothers were dayyānīm or judges and (b) that while Samuel was in Cairo (as the address shows), the central seat of Jewish religious learning in Egypt, Peraḥya must have been in some smaller town in Egypt (for the letter indicates that it was not going overseas), and not even in Alexandria, where also a respectable Jewish court with important scholars was in existence at that time.

The inner evidence of our letter is corroborated by other testimonies. In a decree (Hebr. Taqqāna), promulgated by the famous Maimonides in Cairo in May/June 1176 and signed by ten scholars including Maimonides, one of these is called Samuel b. Joseph. Although these are common names, there is no reason to doubt that he is identical with Peraḥya's brother. See Mose ben Maimon, *Responsa*, ed. A. Freimann, Jerusalem 1934, p. 94.

In the same volume, pp. 193-4 a responsum, or answer on a question of religious law, by a scholar named Peraḥya b. Joseph is printed, by the way a question, on which Maimonides himself had written his opinion. Peraḥya 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) Solomon b. Zakkai. Incidentally, he comes to the same result as Maimonides, although obviously not having read the latter's opinion.

Again, these are common names. We find e.g. a Peraḥya b. Joseph as member of the rabbinical court of Cairo at the end of the 11th and beginning of the 12th centuries, see mss. University Library Cambridge T.-S. 20.31 (date 1092); 8.142 (1096); 13 J 2, fol.3 (1106). However, as the chronological and other circumstances fit in well, we have all reason to assume that the man who wrote the responsum for the Nāsī Solomon b. Zakkai was none else but our Peraḥya of the Yijū family.

There is even more to it. In 1187, Maimonides' court published a list of dayyānīm or religious judges in certain provincial towns of Egypt, who alone were entitled to enact marriages or divorces. The dayyān of Maḥalla is called Peraḥya, see the volume quoted above, p. 153. As the content of No. 80, as we have seen, clearly shows that Peraḥya 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.

Of the Geniza documents other than those published here, containing the name Peraḥya b. Joseph, as far as I can see, only U.L.C.T.-S. 12.487 belongs to our P. This is the end of a long deed of lease made out in the middle decade of the month of Tēvēt of 1493 of the era of the documents, which corresponds to 19th-28th December, 1181. The text says that the document is signed by members of the rabbinical court of Fuṣṭāṭ (Old Cairo) and others. As a court consisted of a minimum of three members, and as our P. signs as the third or fourth, it cannot be made out with certainty, whether P. had been

transferred to Cairo by this time or happened to be there by chance, perhaps in connection with the law suit dealt with in the deed. In the signature, his handwriting appears to be slightly more stylized than in the letters published here, but it is unmistakably the same.

About 60 years later there lived in Egypt another scholar called Peraḥya b. Joseph. As we find him too in connection with a Nāsī, Solomon b. Jesse (Yīśai), this time endorsing an opinion given by the latter, see J. Mann, Jews in Egypt and Palestine etc. II, 209, (5), he was perhaps a grandson of our Peraḥya.

#### Contents

- A Preamble with reference to a previous letter. (ll. 1-4)
- B Intimation of the arrival of a scholar, full of praise for Samuel, and disapproval that for a certain occasion guests others than Abi - 'l-Faraj ~~(the old friend of the Yijū family and neighbor of Samuel)~~ had been asked. (ll.4-6)
- C a - d. Four questions on religious law. (ll. 6-16)
- D Request to honor the bearer of the letter and to convey to him the answers on the questions mentioned, as far as they were ready. (l.16 - margin, l.8)
- E Request to help a young man, called Sālim, who had fled from Cairo because of the Jāliya or poll (per capita) tax. (margin, l.9 - top, l.7)
- F Admonition to look after the writer's old mother, and greetings to her, to Samuel and his only son and to his wife, from the writer's wife, called after her son "the mother of Joseph", Joseph himself and his sister Yumn, and, of course, the writer. (top, ll.8 - 16)

Postscript on verso: No payment for the transport of the letter was required.

Draft of answer by his brother: "I beg to inform you, ma(y your) Ro(ck preserve you), that I have thought about your letter, but am not able to write an

opinion, nor can R(abbi) Jacob do so, because of the Rayyis. However I shall inform the Rayyis and he will write you the opinion."

#### Commentary

1 Samuel's only and still unmarried son is called here Sheikh Abī 'Imrān, which is the Kunya or honorific name of a person called Moses. This does not mean that his uncle Moses (See No. 77) was already dead, when he was born.

3 Obviously an intimation that Peraḥya was unable to contribute towards the maintenance of his old mother.

7 - 11 The first of the four questions asked by Peraḥya - how far the penalties stipulated in a marriage agreement were legally binding - was answered by Maimonides in several of his Responsa, especially in No. 226, see Freimann's edition quoted above, p. 216. It is highly interesting that P. says here that he followed the procedure of "our master" Zacharia, certainly the Tunisian-Sicilian scholar mentioned in No. 74, 1.17; No. 75, 1.11.

Top of the page 1 Evading the payment of the per capita tax by fleeing from one's hometown is a very frequent subject in the Geniza papers from Egypt.

12 Yumn - "Luck"; that female name appeared already in the Yijū family in No. 68, 1.24.

The letter is addressed to the Murabba<sup>C</sup> at al-Aṭṭārīn to Abi - 'l Fahr al-Amsāṭī<sup>V</sup>, as No. 77, see ib. The address contains the two formulas found also at the end No. 73. The Arabic formula is even more detailed here: "Deliver it - and you will be rewarded - to Samuel".

The Rayyis referred to here certainly is none else than Maimonides himself. It is very characteristic of Maimonides' endeavors at religious reforms in Egypt that he insisted in answering personally questions addressed to members of his court. This contributed certainly much towards the unification of religious and legal practice.