

APPENDIX

231
509

Statute Regarding the Appointment of Ten Elders as Assistants
To Ephraim Ben Shemarya, the Leader of the Jews of Old Cairo

(cf. p.)

In all the many documents signed by Ephraim ben Shemarya he is accompanied by other signatories. No autocracy was suffered in any Jewish community of that time. In this statute, however, an effort is made to enforce a more formal representation of the community. Despite its incompleteness, the document is a valuable illustration of public life in a Mediterranean Jewry of the first half of the eleventh century.

University Library Cambridge, Taylor-Schechter Collection 13 J 80, f. 8.

As from line 11, the left side is torn away and nothing is preserved after line 26.

Until line 19 it is more or less possible to restore the missing words. Except the quotations, the text is entirely in Arabic.

and some Hebrew phrases ((Insert here the Hebrew text))

13 J 30 f 5

Translation

1 The following statute was agreed upon by the community of the Rabbanites living in Old Cairo 2 - may God increase their number - and (our) M(aster) Ephraim b. Shem(arya) in the month of Tammuz of the year ~~xxxxxx~~ 3 which will be specified at the end of this document.
4 This was done out of the desire of them all 4 to be obedient to God, the blessed and exalted, and to uphold permanently the ^{ways} traditions of the religion, 5 as God has laid them down in His revealed Law; namely, 6 to cooperate and to spend all our efforts on the enforcement and observance of the commandments and on the assignment of duties 7 to those on whom they are incumbent.

Ten elders from the community shall

- 8 Sit with (our) M(aster) Ephraim as judges of the court;
- Share with him the burden 9 of all needs of the community;
- Support him in the enforcement of the religious duties;
- Help him 10 to further that which is desirable and to prevent that which is

reproachable;

Deal appropriately with those 11 who live in a way not approved by religion;
Consider the letters 12 addressed by the Heads of the Yeshivas ^{-may God preserve them-} to the community
and answer them correspondingly according to the opinions agreed upon 13 by the
community.

The community is obliged to honor M. Ephraim 14 and to revere him and to accept
his rulings with regard to religious observances, whereas he will consult 15
the public in specific matters not related to the Law and not pertaining 16
to religion since all this is obligatory. All are bound 17 to obey him and to
venerate him, as the bearers of the tradition have explained 18 "It is written:
'I commanded your judges' (Deuteronomy 1:16), and it is further written: 'I com-
(ibid. 1:18)
manded you'. This duplication is, according to 19 Rabbi Simlay and admonition
to the public to venerate its spiritual leader (literally its judge) 20 and
an admonition to the latter to show regard for the public."

In line 21 there is a reference to the income from the slaughtering house, on
which Ephraim, according to an earlier statute, preserved in TS 20.104, had certain
rights.

NOTES

1. The text is a careless copy perhaps from a hastily written draft. The copyist has either omitted the year or ^{ה'ש"ד} is to be taken as a misreading of ^{ה'ש"ד} which corresponds to 1044 A.D.
2. Only two assistant judges were needed in a Jewish court. However, as people were busy, a number of persons able to fulfil this task had to be available.
3. A reference to the very much developed social services and the representation of the community before the central and local government.
4. A Muslim phrase.
5. ^{ה'ש"ד} stands for ^{ה'ש"ד} ^{ה'ש"ד} .
6. Bab. Talmud Sanhedrin 6a, where the textus receptus has ^{ה'ש"ד} , not ^{ה'ש"ד} as here.

