

## INTRODUCTION



### Poverty and Charity in Christendom

**P**OVERTY, 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*.<sup>1</sup> 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 Annalists 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.<sup>2</sup>

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.<sup>3</sup> To the extent possible, given the current state of scholarship, this book draws comparisons with the majority society and, in turn,

<sup>1</sup> 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).

<sup>2</sup> 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).

<sup>3</sup> 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

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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 (*mišva*) of charity, *ṣedaqa*, in Judaism, that field of Jewish history is similarly underdeveloped.<sup>4</sup> 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).

<sup>4</sup> 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.

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Islamic period, the foundations of medieval Jewish culture both in the Near East and in Europe were laid.<sup>5</sup> 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.<sup>6</sup> 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.

<sup>5</sup> See Robert Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven, 1998).

<sup>6</sup> 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*.

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### 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 *euergetism*). 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.”<sup>7</sup> 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.<sup>8</sup> 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-

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

<sup>8</sup> 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.

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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.<sup>9</sup>

### 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

<sup>9</sup> See, for instance, in addition to Mollat, *The Poor in the Middle Ages*, Bronislaw Geremek, *Poverty: A History*, trans. Agnieszka 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 succinct 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.

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with the term *mishpat* in the sense of “(social) justice.”<sup>10</sup> For the giver, it is a duty (*mišva*) 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.

<sup>10</sup>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).

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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 *tamhui*, 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.<sup>11</sup>

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.<sup>12</sup> 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.

<sup>11</sup> 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.

<sup>12</sup> 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),

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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,<sup>13</sup> 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.<sup>14</sup> 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 Secombe, "Was There Organized Charity in Jerusalem before the Christians?" *The Journal of Theological Studies*, new series, 29 (1978), 140–43.

<sup>13</sup> 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'anim*, no. 24 (1985), 3–35.

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

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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 Qurʾān 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 Qurʾān 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.<sup>15</sup>

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.<sup>16</sup> More than

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

<sup>16</sup> 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

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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.<sup>17</sup>

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.”<sup>18</sup> 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.

<sup>17</sup> One example: Mark R. Cohen, “New Light on the Conflict over the Palestinian Gaonate, 1038–1042, and on Daniel b. ‘Azarya: 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.

<sup>18</sup> *Med. Soc.*, 1:7.

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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*,<sup>19</sup> and devoted several pages to the more personal aspects of poverty in the fifth and final volume of this monumental opus.<sup>20</sup> 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.<sup>21</sup> 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

<sup>19</sup> *Med. Soc.*, 2:91-143.

<sup>20</sup> *Med. Soc.*, 5:73-94.

<sup>21</sup> 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.

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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.<sup>22</sup> 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

<sup>22</sup> The long Hebrew letter of appeal, AIU VII A 36 (fifty-six lines), represents a rarity.

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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.<sup>23</sup>

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.<sup>24</sup> 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.<sup>25</sup>

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

<sup>23</sup> There is much of this interpretation in Cohen, *The Voice of the Poor in the Middle Ages*.

<sup>24</sup> 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.

<sup>25</sup> 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

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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.<sup>26</sup> 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), *Te'uda*, 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: te'udot 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-Fuṣṭaṭ ba-mahaṣit ha-rishona shel ha-me'a ha-aḥat-esreh* (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.

<sup>26</sup> See *Med. Soc.*, 5:92–93.

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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.<sup>27</sup>

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.<sup>28</sup> 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.<sup>29</sup>

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.<sup>30</sup> 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.”<sup>31</sup> Or one can measure Goitein’s estimate against the approximation of 20 percent of the native or long-term resident

<sup>27</sup> 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.

<sup>28</sup> See, for instance, Roger S. Bagnall, *Egypt in Late Antiquity* (Princeton, 1993), 4–13.

<sup>29</sup> 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.

<sup>30</sup> *Med. Soc.*, 2:139–42.

<sup>31</sup> Slack, *Poverty and Policy in Tudor and Stuart England*, 72.

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population receiving some form of institutional charity in old regime Aix-en-Provence.<sup>32</sup> 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.<sup>33</sup>

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.”<sup>34</sup> 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

<sup>32</sup> Cissie C. Fairchild, *Poverty and Charity in Aix-en-Provence, 1640–1789* (Baltimore, 1976), 75.

<sup>33</sup> 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.

<sup>34</sup> Bagnall, *Egypt in Late Antiquity*, 5.

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

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.”<sup>38</sup> 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.”<sup>39</sup> 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

<sup>35</sup> Mollat, *The Poor in the Middle Ages*, 2.

<sup>36</sup> 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.”

<sup>37</sup> 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.”

<sup>38</sup> Sabra, *Poverty and Charity in Medieval Islam*, 8.

<sup>39</sup> R. Stephen Humphreys, *Islamic History: A Framework for Inquiry*, rev. ed. (Princeton, 1991), 284–308.

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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.<sup>40</sup> 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.<sup>41</sup>

<sup>40</sup> 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 coexistence 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 Rāḡib, *Marchands d’étoffes du Fayyūm au IIIe/IXe siècle d’après leurs archives (actes et lettres)*, II. *La correspondance administrative et privée des Banū ‘Abd al-Mu’min* (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 tafadḡala sayyidī wa-mawlāyā an ya’mur . . . bi-qalīl qamḡ mā amkana ḡattā 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. Jahrhunderts aus der Österreichischen Nationalbibliothek in Wien. Textband* (Wiesbaden, 1996), 183–84 (thirteenth-century or later letter of appeal for clothing).

<sup>41</sup> 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 Compassion’: 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*

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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 clichés 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.”<sup>42</sup> 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.”<sup>43</sup> 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.<sup>44</sup> 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).

<sup>42</sup> Thomas Sokoll, “Old Age in Poverty,” 131; idem, *Essex Pauper Letters*, 67–70.

<sup>43</sup> Sokoll, “Old Age in Poverty,” 133–134; idem, *Essex Pauper Letters*, 62–67.

<sup>44</sup> *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.”

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such as the nature of poverty.”<sup>45</sup> 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.<sup>46</sup>

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.<sup>47</sup> 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-

<sup>45</sup> 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.

<sup>46</sup> 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.

<sup>47</sup> *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, 1987).

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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 *mišva* to give charity.<sup>48</sup>

### 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, *raʾīs al-yahūd*, this dignitary usually also had a Hebrew

<sup>48</sup> 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.

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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.”<sup>49</sup>

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.<sup>50</sup>

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

<sup>49</sup> 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.

<sup>50</sup> Cohen, *Jewish Self-Government*.

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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

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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 tractate of the Mishna, Tractate Pe'a, treats the agricultural laws of charity in some detail,<sup>51</sup> 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”).<sup>52</sup> 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).<sup>53</sup> 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

<sup>51</sup> See Roger Brooks, *Support for the Poor in the Mishnaic Law of Agriculture, Tractate Peah* (Chico, 1983).

<sup>52</sup> Bava Batra, folios 8a–11a.

<sup>53</sup> 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. Joseph B. Meszler, *Gifts for the Poor: Moses Maimonides' Treatise on Tzedakah*, ed. by Marc Lee Raphael (Williamsburg, VA, 2003). Jacob b. Asher (d. 1340) states in his law code, *Arba'at Turim*, Yoreh De'a, #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.

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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.<sup>54</sup>

### 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."<sup>55</sup> 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

<sup>54</sup> 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.

<sup>55</sup> Midrash Zuṭa, Shir ha-Shirim, ed. Buber (Berlin, 1894), 20 (par. 1:15).

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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 proffered upon poll-tax-paying *dhimmīs*. How the heavy expense of redeeming captives and providing for them after their release,

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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.<sup>56</sup>

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,

<sup>56</sup> 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).

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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.<sup>57</sup> 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

<sup>57</sup> The Andalusī 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), *Pe’amim* 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 Sharia’ah (Islamic Law)*, 3rd ed. (London, 1983), 109–11. David Powers kindly showed me a passage from al-Wansharī’s responsa (*fatwās*) (15th century) stating that certain dhimmīs are eligible for distributions from *bayt al-māl*; *Al-mi‘yar al-mu‘rib wa’l-jāmi‘ al-mughrib*, ed. M. Ḥajjī (Rabat, 1981), 6:61–62.

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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.<sup>58</sup>

<sup>58</sup> 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,

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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.<sup>59</sup> 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-Ḥākīm 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, *Ṣemīḥat 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.

<sup>59</sup> 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.

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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.<sup>60</sup> 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.<sup>61</sup>

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

<sup>60</sup> *Med. Soc.*, 2:142, 5:238–41.

<sup>61</sup> See also part 3 in Cohen, *The Voice of the Poor in the Middle Ages*.

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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.<sup>62</sup>

<sup>62</sup> 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-qebilla 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-Nach 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.