

Studies in the Economic Life
of the Jews
under the Caliphate - in the Gaonic Age

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CHAPTER I

I N T R O D U C T I O N

A. EXPANSION OF ARABIC EMPIRE

The rapid rise of the Arabic Empire during the 7th and 8th centuries has been marvelled at by many historians. Many a thesis has been written ^{advanced} explaining the causes for this expansion. The notion that Islam was spread by the sword has been disproved. A closer examination of all factors involved will indicate that the expansion of the Arabic Empire was essentially due to a religious impulse accompanied by economic factors. (1)

Arabic expansion had been going on for centuries. (2) The Moslem migration may ~~also~~ be viewed as the last great outward movement due to change of climate and a gradual dessication of the land. All Arabian tribes were in a state of flux and Islam served as the centrifugal force. Arnold's statement may here be recorded: "The expansion of the Arabs is more rightly envisaged as the migrations of a vigorous and energetic people driven by hunger and want to leave their inhospitable deserts and over-run the richer lands of their more fortunate neighbors." (2a)

Secondly, expansion was possible because of the great dissatisfaction within the Persian and Byzantine empires. The decisive Battle at Nahawend in 642 put an end to the Persian

Sassanid dynasty and all of Persia passed under Moslem domination. (3) All the Aramaic peasants along the borders of Persia greeted the Arabs as deliverers from slavery. Arnold, in the "Preaching of Islam", states - "The Muslim creed was welcomed by the townsfolk, the industrial classes, and the artisans whose occupation made them impure according to the Zoroastrian creed. - - - - (they) embraced with eagerness a creed that made them at once free and equal in a brotherhood of faith." (4)

In Syria the Bedawi eagerly made alliances with the Mohammedans and raided the borders of the adjacent countries regularly. Many oppressed vassal nations - Christians, Jews - welcomed the Mohammedan armies. The Jews opened the gates of cities; leaders of all oppressed factions aided the Mohammedans both by purse and sword. (5)

The starved energetic sons of the desert offered to the soldiers, land and booty. However, there could be discovered within the army, caravans of commerce travelling without hindrance. The Koran made it a duty to protect the itinerant merchant and his merchandise. Egypt was necessary for the expansion of Islam and hence it was conquered in 621-626. The cereal of Egypt was essential for the religious cities of Arabia. As Egypt was the granary of Rome and later of Constantinople, it now became the granary of Mecca and Medina. Well did the Caliph, Amr, diagnose the economic factor when upon conquering Egypt he said, "Egypt is a milch camel and a green date tree

a white pearl and a yellow amethyst, a green emerald, an embroidery of many colors." The islands of Sicily which were utilized as bases for Mohammedan pirates (827-78) later became centres of brisk and flourishing trade. Following the capture of the Berbers on the northern coast of Africa, Spain capitulated in 711. Despite the victory of Charles Martel in 732, the Muslims held sections of France and ravaged Burgundy and the Dauphine. (6)

It took a century for the Arabs to gain dominion over all lands from India to France. Commencing as starved sons of the desert, they became the masters "of countries of fabulous wealth, of world wide commerce, ruling teeming millions of most industrious agricultural peasantry, skilled artisans, and shrewd merchants. They were lord of the oldest trade routes known by land or sea." (7)

In the study of the economic life of the period, it is essential to bear in mind a few facts regarding Islamic political life. Until 750 the Ummayyad Dynasty ruled in Damascus. They were the descendants of pure Arabs and received all their income from booty and taxes during this period of expansion. After 750 a branch of the Ummayyads held sway in Spain.

The next great dynasty was the Abbasid (750-1248). It represented ^{the} Persian aristocracy who aimed to develop an autocratic state. The Abbasids had far more religious zeal than their predecessors but yet they failed to maintain intact their extensive empire. The religious factors were over-balanced by

the political-economic - and social factors. North Africa separated from the empire c 800 while Egypt and Syria broke away in 877. In the ensuing century the great Fatimid Dynasty (909-1171) ruled over the whole north African coast from Egypt to the Atlantic including Sicily, Sardinia, and all of Syria. Thus, though the spiritual head of Baghdad was acknowledged in prayer and on public coins, the political and economic factors tell a tale of disunity and opposition. (9)

The Abbasid Dynasty in the east became weakened in the 9th and 10th centuries. Famous generals became independent lords, stealing the power and wealth from the eastern provinces in Persia and Transoxania. Within the palace the Turkish slave-guards were the de facto rulers. Occasionally the caliph's power ^{did not} extend ~~ed~~ beyond his own walls. The decline of the Caliphate resulted in the forming of settlements, by tribes of the Syrian desert, ^{the} occupying of towns and the exercising of complete authority over cities, districts, and provinces in northern Syria and Mesopotamia. From 932 to 1055 the provinces of Southern Persia and Irak were split up into numerous governments ruled by the Buwayhid princes. (10)

A word may be said here about the civilization that developed. Islamic civilization was truly eclectic. Both the conquered and the conqueror merged; from the Arabs, the Persians, the Copts, the Jews, and the Turks - evolved the Islamic civilization. Both in economic and intellectual life the

Arabs accommodated themselves to the civilization they found in existence. Frankel and Noeldke have proven how dependent the Arabs of early Islam were upon Aramaic civilization. Islam ~~is~~^{was} a further development of the latter culture - shifting its centre from Damascus to Baghdad. (11)

B. TREATMENT OF NON-MUSLIMS

The Caliphate accorded favorable treatment to all peoples who had Scriptures. Jews, Christians, Sabeans, and later Zoroastrians were permitted to live and were protected by Islam upon payment of a poll tax. The Jews and other minorities were welcomed and protected because Islam needed them to fill the coffers of the state. (12)

The Church and the Synagogue - or the Jewish and Christian communities - may be viewed as foreign bodies which were protected by the conquerors. The protected classes - ie. dhimmies - were never considered as on a par with the conquering classes. (13) Mixed marriages were not permitted. Conversion ^{to Islam} to Christianity or vice-versa was not allowed. In Muslim law no Christian could inherit property from a Jew - or vice-versa - although Geonic law permitted it. The Muslims aimed to keep each sect as a separate and distinct unit. (14)

All dhimmies were favorably treated. They lived, of their own choice, in special quarters as is still the custom in the east to-day. In the city hospitals the dhimmies were accorded the same treatment as the Muslims. (15) The Jews

had a complete autonomous life - being governed by their own religious, civil, and commercial laws. They also had recourse (16) to the Mohammedan courts in all cases of dispute with non-Jews. The Exilarch was the official political head of the Jewish community. He, together with the rich and wealthy, invariably acted as the go-between the Jews and the Caliph's court.

In religious matters there was no interference on the part of the Caliphate. The Gaonate were considered religious heads by the government - with distinct powers and privileges. A full discussion of their powers will be considered in a later chapter. Occasionally, the government would request the religious leaders of the Jewish community to pray for rain when there was a dearth of rainfall. The Christians would have processions lead by bishops, while leading the Jewish processions were trumpets and shofrot. (17) In 932 the law of Islam decreed that the property of all childless deceased belonged to the community of the respective individual. Only in case the individual was a Musselman did the property go to the common treasury. The fact that a weakened, decentralized government felt obliged to respect the rights of the minority groups gives us an inkling of the power and prestige of these groups. (18) "Through all the dangers and difficulties in the growth of this loose empire - the Jews managed to maintain their political status unimpaired. They were as a rule more favored than the Christians." (19)

As is known, the hegemony of world Jewry at that time was in the east. The total estimated population of the Jews towards the close of the Gaonate approximated three million. (20)

The greater percent of this number was found in the eastern part of the Islamic Empire. From Benjamin of Tudela we obtain the following population figures:

Palestine.....	1,210
Asia.....	434,300
Egypt.....	13,300
<u>TOTAL</u>	<u>448,810</u>

Since Benjamin's numbers refer to heads of families - if it be multiplied by five - the figure 2,224,050 is obtained. Add to this the number of Jews in North Africa, in Spain - we find the total population of Jews in the Islamic Empire totalling about $2\frac{1}{2}$ to $2\frac{3}{4}$ millions. (21)

Muslim authors rarely speak about the number of Jews in any particular area. The law books invariably refer to Dhimmies or Christians - but occasionally records indicate the strength of the Jewish communities in the east. In the Responsa of the early Geonim constant reference is made to the old Talmudic centres - Sura, Pumbeditha, Nehardea, Nehar Pekod, Naresch and Schelachi. In the Responsa, the latter ~~xxxxx~~ names are absent. At the same time the Jewish community of Baghdad grew. It was the seat of the Exilarch who was in constant touch with the Caliphate; from the year, 890 to 1200 it was the seat of the Pumbeditha academy. (22) Jewish settlements were particularly numerous in the Tigris-Euphrates section - especially ~~a~~ along the Tigris. ~~From Nineveh down the Tigris - there were~~ important Jewish communities in all towns and villages. ~~Some~~

in the towns and villages along the rivers and canals. Some of the important centres there - in addition to those already mentioned - were Përoz Shabur (opp. Pumbeditha), Kufa, Hille, Nahrawan, Wasit & Basra. (23) Sherira indicates that Ali was welcomed by 90,000 Jews in Peroz Shabur. (24) Further east Jewish communities also existed in great numbers. Mukadassi and Petachya report that there were many Jews in the province of Khurasan. In Media there were more Jews than there were Christians. Two large towns eastward were known as El Judedeh - one near Is-pahan and the other east of Merv. Few Jews, however, lived in the provinces of Fars and Khuzistan. Arabia - we know - had more Jews than Christians. In Kurh, the second town of Hedjaz, the majority of the population was Jewish. In Syria and in Palestine Jews were found in all the large centres. In Egypt Jews ~~also~~ existed in great numbers. At the time of the conquest in Alexandria 40,000 of 70,000 Jews were permitted to maintain residence there. (25) Cairo - or Fustat - and the Delta towns also had numerous Jewish communities. There was continuous migration of Jews from the eastern to the western lands, although there was some migration eastwards as well. Jews were numerous in all the commercial centres of Upper Egypt. (26) During the persecutions of Al Hakim many Jews migrated to Nubia, Abyssinia, and to the Greek islands. (27) One must finally include the important Jewish communities in North Africa such as Kairowan - and the communities of Spain, eg. ~~xxxxx~~ Lucena and Cordova.

With the conquering Umayyads who were characterized by religious indifference the lot of the Jews was very favorable. The vanquished were, in the last analysis, the means of support for the Muslim state. However, even in this favorable situation, the Jews were always exposed to the unjust exactions of rapacious taxgatherers. (28) At the end of the first century - during the reign of Omar II (717-720) - one hears of definite disabilities for dhimmies. (29) Omar's policy did not have any permanent effect until the Abbasids came to power.

It was during the second century that the Muslim spirit hardened. As the religious Abbasids grew in power, as the state became stronger, conditions grew worse. About 800 we come across the Omar Pact - a pact credited to Omar to give it greater significance. Its general provisions were as follows:

- (a) marriage of Jew with Muslim punishable by death
- (b) restrictions in synagogue building
- (c) special dress required
- (d) restricted stay in Hedjaz - only 3 days; stay in Mecca entirely prohibited
- (e) payment of poll tax permitted travel throughout the empire
- (f) no appointment of Jews to high office

It is an established fact that the pact of Omar never existed in the first century. In the second century, some of its provisions were in existence. By 821 it existed in its present traditional form with minor variations. (30) It is established

that the restrictions credited to Omar belong to Mutawakkil (847-61). These regulations were not made a permanent policy but were put into practice spasmodically. The constant renewal of the treaty indicates that it was not rigorously kept. (31) (For further information on Covenant of Omar see notes. (32)

It was in the second century that laws of dress were made stringent for the dhimmies. The aim of this legislation was not to degrade them but rather to indicate that they were not members of the universal Muslim faith. In the 8th century Jews wore tall hats which were described as 'mile-stones' or 'pitchers'. The use of special color was merely a local tradition. (33) In Egypt and Syria - in the month of Shaban - 700, Jews were compelled to wear yellow turbans, the Christians blue, and the Samaritans red. In 734 Baghdad copied Egypt in making dhimmies wear blue and yellow. In 755 Jewesses were ordered to wear yellow wrappers in Egypt. The special legislation regarding dress was never repealed but was invariably disregarded until some zealous or fanatical ruler put them into practice again, ie. Al Hakim. (34) (For further variation regarding restrictions in dress see note #35)

Under the Fatimids general tolerance was granted to Jews, Christians, and all non-believers. Recent converts could rise to the highest offices. (36) Mann's study of the lot of the Jews is worth noting: "All the fragments indicate that the

Jews under Fatimid rule had a golden era - except for a short period of Al Hakim's persecution. The breath of tolerance that swept over the land instilled civic duty and activity into the people of the tribute. Both Christians and Jews participated in state service." (37)

According to law, no occupation or profession was closed to the Jews. They were found in all aspects of economic endeavor - just as in the Roman or the Parthian Persian Empires to which the Muslims fell heir. (38) The upper classes engaged as entrepreneurs in agriculture and industry; they were bankers, financiers, merchants, and physicians. Many Jews were also engaged in state and public service. Some even attained the highest posts despite the complaints of the fanatic Muslims. Under such favorable conditions, many Jews amassed considerable wealth. Among the lower classes, the Jews were engaged in the same occupations as were the lower classes of the general populace. They were engaged in farming, in all the crafts and petty trades, and as shopkeepers.

This paper will present some detailed studies regarding the economic life in its various aspects. In summary of the civil-economic conditions, it may be said that non-believers were given an opportunity of prospering and creating - upon payment of taxes - although always being exposed to special legislation. Living on suffrance, they were exposed to the caprice of rulers and the exactions of tax gatherers. As the state grew

weaker, the amounts of extortion and the mob violence of soldiers and Bedawi increased. Even the educated Muslim advocated stringent proscriptions against non-believers. In those later years, the inhabitants of Islam were definitely divided in two: Muslims and non-Muslims. (39) That later stage brings us to a close of the Gaonate - the time when the hegemony of the east was being transferred to the west.

CHAPTER II

AGRICULTURE & ALLIED PURSUITS

A. AGRICULTURE IN THE ARABIC WORLD

Since times immemorial agriculture has been the mainstay of all early civilizations. Agriculture under Islam prospered through a great deal of government supervision. The government realized that all its revenues depended upon it, and maintained an extensive system of irrigation, the cost of which was defrayed by the state treasury. Furthermore, it was considered a religious duty to promote agriculture and horticulture. (1) The lands of the Caliphate were prosperous and abundant in produce because of the extensive irrigation system, the rotation of crops and use of fertilizers, and the methods of grafting employed. (2) There were special departments in charge of irrigation which appointed inspectors annually to take care of the government dikes and dams. Local dikes and sluices were left to the care of the localities. (3)

On the land, there were both the large and the small landholder. While the small landholder tilled his own soil or employed some additional hired labor, the large landholder had his land tilled by small tenant farmers or slaves. The latter

was the Persian feudal system which was taken over bodily by the Arabs. (4) An Arab military feudalism frequently took the place of the landed gentry. (5) The great landowners who became the official fiscal and political administrators pauperized the tenant farmers and the small landowners in their districts. As the central government declined, Arab officials received land grants in return for collecting taxes. The tax farmers in time became the overlords of the entire district driving out many small landholders through heavy taxation. Soldiers, too, were given land revenues - and at times were given land outright. Gradually the distinction between giving the revenue of the land and giving of the land grant was obliterated. (6) In summary, the Arabic world adopted the economic order of a previous day and encouraged it so as to receive greater revenues for the treasury of the Caliphate.

The agricultural products of the Arabic world in Gaonic times (7) may be divided into the following categories:

1. grains
2. southern fruits
3. vegetables and condiments
4. fibres
5. dyes, oils, and perfumes
6. grazing industry and dairy products
7. drugs
8. minerals

Don't you think that minerals are outside of agriculture category?

has been

Since the Arabic world was so large, it ~~was~~ deemed advisable to indicate the definite regions of each of the above mentioned categories. Furthermore, in view of the fact that the majority of the Jews lived in the east, special attention will

be given to the products of the provinces of Persia and Babylon.

Grains: The southern region of the Tigris and Euphrates valley did not produce much grain - with the exception of rice (a new plant developed by the Arabs) which was grown in great quantities in the swamp area of Irak. The granary of the Eastern kingdom was located in the province of Jazirah and in the upper provinces of the Eastern Caliphate. The finest barley and wheat were grown there and were exported to many lands. In the south-western provinces of Kirman and Fars - grains and cereals, such as wheat, durra (millet), barley and rice were raised in great abundance. Some rice was also raised in Khurasan.

The other granary of the Arabic world was Egypt where wheat, barley, corn and durra were raised. In the Fayyum rice culture was prevalent. Palestine is also recorded as having rice culture. Almost all countries produced wheat for their own consumption.

Horticulture - Southern Fruits: ^{Owing} ~~Due~~ to the industry and scientific interest of the Arabs in horticulture, definite advances were made and many new and variegated orchard fruits were developed. Their scientific irrigation and the acclimatization of strange plants lead to a further development of many new flowers such as the jasmine, the camelia, the double rose, and others.⁽⁸⁾ The orange may be cited as an example of acclimatization. It was cultivated in remote antiquity in Hindustan.

Before the close of the 9th century the better variety was well known to the Arabs. It was first planted in Aman in 912 and then transferred to Irak and Syria. From Irak it naturally spread to all the eastern provinces and from Syria to Palestine and Egypt. Masadi, who saw the orange in 943, wrote - "The fruit has lost its original perfume and flavor as also the fine color it shows in India - and this is because of the change from the peculiar soil and climate and water of its native land." (9)

The care and attention given to horticulture and gardening by the Arabs is indicated in Benjamin. As a lover of color and the beauty of nature he is struck by the resplendent and magnificent gardens and orchards at Sebaste, Baalbeck, Damascus, Babylon, Baghdad, Susa, and Sicily. (10)

All the provinces of the Eastern Caliphate were noted for their abundant and variegated crops of southern fruits.⁽¹¹⁾ The products in greatest abundance there were dates, pomegranates, figs, nuts, almonds, pistachios, melons, peaches, oranges, mangoes, pips (seeds of orange), grapes, raisins, and citrons. In some provinces honey was raised.

Syria was noted for its citrons, bananas, oranges, lemons and date palms. Idrisi who visited Damascus in 1154 said, "within the city of Damascus there are many mills on the streams and the wheat ground is of extremely good quality. Also there are various kinds of fruits which for sweetness you will not find the like elsewhere " (12) & (13)

Palestine was renowned for its oranges, lemons, grapes, fine raisins, wines, dates, honey, carob, apples, pineapple and dried figs - as is evidenced in the famous quotation of Mukadassi. (14)

The important crops of southern fruit raised in Egypt were the vine, date, sugar cane, melon, and orange. In Ifrikiya, under the Berber Zirids who received their investiture from Cairo regularly, the agriculture of the country flourished. Tunis and Algiers were famous for their gardens and vineyards, fruit trees and honey. (15)

Vegetables: In the vegetable domain ~~also~~ the Arabs were responsible for introducing and developing new species, eg.- asparagus, the kidney bean and sugar cane. Sugar cane was developed in Khuzistan - near Irak. The cane spread from there to Kirman and Makran in the eastern province; to Syria⁽¹⁶⁾ and Palestine (17) in the hot Jordan Ghaur; to Egypt and Ifrikiya. The art of sugar refining was likewise developed under the Arabs and spread from India to Morocco - and into Europe through Sicily and Spain. (17a)

In the Mesopotamian valley itself few vegetables were raised. In the Persian provinces of Khurasan, rhubarb and truffles were exported. Along the Persian Gulf all types of vegetables were cultivated.

Of Palestine, mention was made of the artichoke, the asparagus, the cabbage and the truffle. Mukaddasi, in speaking of the Palestinian lettuce, says - "The lettuce, also which everywhere else is counted a common vegetable is here in

Palestine a choice dish. However at Basra too it is held superior to common vegetables." (18)

The land which cultivated vegetables in greatest variety was Egypt. There were cultivated the cauliflower, lettuce, bean, pea, chick pea, onion, clover, lentil, garlic, radish and turnip.

Perhaps it would be well to include the various condiments and spices raised for the preparation and preservation of foods. Mace was raised in Persia, pepper in Arabia, ginger in Persia and Arabia, saffron in Persia, cinnamon in Egypt and elsewhere. (18a)

Fibres: The important fibres developed were cotton, flax (hemp stuffs), and silk. Raw silk was developed in Irak and in the northern provinces of the Eastern Caliphate. It was also extensively cultivated in Sicily and in Spain from whence it entered Europe. Cotton was grown in the east - in Jibal and along the Great Khabur - in Mesopotamia. It was particularly well developed in Syria, in Palestine and in Egypt. (19) Flax was raised primarily in Egypt and Ifrikiya. The Egyptian flax which was raised along the Nile and its branches was next to wheat in importance. Egypt was the leading contributor of flax to world trade until the 14th century. (20) A good quantity of flax was raised in the Fayyum. Ibn Said, noticing the flax in this inundated region, wrote: "O lake of the Abyssinians, how lovely is the flax when it rises upon thee with flowers or buds in knots, and its leaves unsheathed from thee like swords." (21)

Dyes, Oils, and Perfumes: The olive, which was utilized as food and also for other purposes - production of light and soap - was raised in Irak, Jazirah and in Palestine. In those countries, hence, we also find the soap industry ⁽²²⁾ developed. Egypt which lacked the olive sought a cheap substitute to use for lamp oil. For this purpose it cultivated the radish, rape, lettuce, sesame, saffron, mustard, flax, and hemp from whose crushed seeds was produced a cheap lamp oil. The remains of the crushed seed were used as food for cattle. Soap was also made from the oil of the products raised in Koptos. (23)

The Orient being the land of color, particular attention was given to the development of certain plants which produced dyes for silks, wools, linen, and other articles. Some of the common plants raised for dyes were henna, saffron, indigo, sumach, alum, gall nut and Kirmiz. Henna was raised in Irak and Ifrikiya; saffron whose golden color was used in coloring manuscripts was produced in Ispahan and Fars; indigo came from Kirman, Egypt, Palestine and Ifrikiya; alum which was much sought after by painters and tanners was found in Egypt and Asia Minor; gall nut which came from Asia Minor was used for ink. Kirmiz (an insect that fed on the oak tree) was an important dye which came from the northern provinces of Mesopotamia. It was utilized to dye silk, goats' hair stuffs, and linen - red.

Perfumes were manufactured by the raising of special plants - eg. balsam and aloes. Some of the common perfumes were rose water, essence of violets, terragon, palm flower water, narcissus water. Rose water came from Irak, Kirman and Fars. The latter was especially famed for its attar of roses. Its rose water was exported to all parts of the world. Fars was also known for its palm water flower and for its perfumes distilled from saffron, lily and willow flowers. The balsam came from Egypt, Palestine, and Syria. Forests of aloes were common in all parts of the Orient because of their fragrance. The Orient ^{also} exported the precious - ~~amber~~ - amber. (24)

Grazing Industry and Dairy Products: The great grazing lands in the east were in Jibal, Jazirah, and the northern provinces of the Great Desert, and the province of Khurasan. In northwest Jibal and Jazirah excellent horses, sheep, and oxen were raised. From those regions also came the famous cheeses. In the northern provinces mules were reared and exported. In the eastern section of Khurasan and the desert, camels, sheep, horses, and mules were raised and ~~also~~ exported.

Palestine also had fine pastures where sheep were raised. Its cheese was also exported. In Algiers cattle and sheep were reared and butter and cheese were exported.

Drugs: One of the important types of agriculture was the cultivation of plants for medicinal purposes. Because of their exact knowledge of medicinal plants, the Arabs were able to make significant advances in medicine. In Mosul a plant was cultivated which aided in the cure of scrofula and haemorrhoids. From Khurasan and Sujistan came assafoetida (a parsley plant). Gelanga was found throughout the Levant. Resin of laudunum was raised in Crete and in Asia Minor - and was used for salves and embalming. Moumiya, a mineral tar, came from Persia. This drug, used for embalming purposes, was carefully controlled by the caliphs. Gall nut, found in Asia Minor, was used constantly in medicine because of its astringent qualities. Scammony was cultivated in northern Syria and in Asia Minor; it also was very valuable because of its strong purgative character.

Minerals: The entire Near East, though poor in minerals, had some mines which were very valuable. From Jibal came salt, sulphur, vitriol and borax. From Fars came iron, quicksilver, copper, sulphur, naptha. Kirman was known for its iron and silver mines - Khurasan for its mines of lead, vitriol and arsenic, and also of turquoises and gold. Egypt received a good supply of gold from the Sudan. Salt was obtained from Sujistan, Armenia and Palestine. Palestine was noted also for its quarries of white stone, its marble quarries from Baisan and for its sulphur from Transjordan.

B. ROLE OF THE JEWS IN GENERAL AGRICULTURE

The Gaonic Responsa indicate beyond a doubt that the majority of the Jews in the early days of the Gaonate were engaged in agriculture. The Jewish population doubtlessly continued in the same occupations in which they had previously engaged in the Persian Empire. Promotion of agriculture, as we have seen, was vital for the state treasury. Hence the early interest of the Caliphate in irrigation must have resulted to the advantage of the Jewish farmers who had their lands in the canal zones. In all countries of the Caliphate - from eastern Persia to Spain - the Jews were engaged in agriculture and horticulture. Towards the end of the 8th and during the first half of the 9th centuries there was a considerable decline in the role of the Jews in agriculture in Babylon, the causes of which will be delineated later. (25) However, agriculture as a means of livelihood was not completely forsaken during this period, in spite of the fact that we come across requests of the Gaonim appealing for support for the academies on the grounds that scholars had lost their landed estates. (26)

It is evident, from their method of calendation, that the Karaites in Palestine were definitely engaged in agriculture. They fixed their festival dates in accordance with the condition of the crops. Thus - owing to the lateness of the crops - the Karaites held Tishri a month later than the

Rabbanites. (27) Mann indicates that in the North African communities - near Tlemsen, Kabes, Nefusa and Kairowan - the Jews owned fields and vineyards. (28)

The wealthy Jews were agricultural entrepreneurs whereas the vast majority was engaged in growing their own crops, pruning their own orchards. Others found it advantageous to enter agricultural-industrial pursuits such as the making of oils, wines, beer - and dairying. These people worked the land themselves producing the same crops as the general populace did. A Still others, rented their land to Jewish and non-Jewish tenant farmers. Several responsa indicate that the Jews utilized both Jewish and non-Jewish farm laborers for occasional bits of work. Mention is constantly made of Jews entering agricultural enterprises with non-Jews. ~~This chapter will relate itself to a discussion of some phases of the problem.~~

The following caution might be made: the availability of a greater number of responsa in any particular field does not necessarily indicate that the Jews were more active there than in another field. We have at present more responsa concerned with commerce and trade than those relating to agriculture and crafts. We cannot, therefore, argue that commerce was more prevalent than was agriculture. Commerce, however, being the newer form of economic activity brought into question a greater number of new situations. that

belongs to next or index

needed adjustment. Then again it was primarily the well-to-do individual or community that could afford to send questions to the central courts. The poor masses, in agriculture and crafts, continued in the same type of economic life as in Talmudic times and were invariably satisfied with the decision of the local Bet Din.

The political head of Jewry in Babylon, the Rosh Galuta, owned large agricultural estates in addition to other property. Benjamin of Tudela writes, "And he owns many inns, gardens and orchards in Babylon and many other landed estates from the heritage of his forefathers, and no man can take them from him by force." (29) The latter half of the statement indicates that the Rosh Galuta was under the direct protection of the caliph from whom, in theory, he received his lands. Whether or not the Caliph added to the lands of the Rosh Galuta is a matter for further investigation. R. Petachya (1170-1187) in referring to the Jewish political heads in Mosul - R. David and R. Samuel - said, "They are sons of two brothers and of the seed of King David..... they have fields and vineyards." (30) The 'they' may refer to the populace and the princes - or to the princes alone.

The renowned academies of Sura and Pumbeditha also owned agricultural estates. These estates were means of permanent income in addition to the income received from taxes, gifts and contributions. R. Hai Gaon (998-1038) wrote "and these sages of the schools although they have an income from their estates " (31) Mann indicates that scholars had

fields cultivated by tenants who took a third or a fourth of the produce as in Talmudic times. (32) A responsa of R. Sar Shalom (849 Sura) indicates that scholars as well as students were engaged in agricultural labor, especially for seasonal work - "Villages in which there are Jews, and students and men of learning and they prune vineyards and tread threshing floors on the half holidays." (33) Lands of the academies were not secure because of bad investments and because of exactions of tax collectors and raids of Bedawi and military troops. R. Aaron Gaon of Pumbeditha (953) in appealing for funds writes, "And also the estates which we owned were destroyed and were lost in these evil years that have come over us. Our funds and our estates have come to an end." (34)

The wealthy in those days invested their money in lands, renting them to tenant farmers as numerous responsa indicate. "So many responsa deal with landed property that the conclusion forces itself upon one that landed property in the possession of the Jews was the most usual thing. Even a poor Jew, as soon as he acquired some money, invested it in fields." (35)

Women also owned fields, vineyards and houses - as can be noted from the responsa of R. Hai (998-1038 Pumbeditha): "And you inquire regarding the apostate woman R. married a woman and she brought to him fields, houses and vineyards and finally she changed her faith and her heirs demand those estates and the husband claims that since she is as one dead

he is her heir." (36)

Lands were given to daughters as dowries - and newly married couples invested their money in fields. A responsum of R. Saadya ⁽⁹²⁸⁾ states, "And you enquire R. married a woman and she brought him as her marriage portion ornaments, clothes and utensils and she assigned to him a field its size being one that required two S'ah of seed." (37) Widows were left agricultural estates, part of which they sometimes were forced to sell - they claimed - for sustenance. A responsum of R. Alfassi of North Africa (1088-1103) states: "R. died and he left a widow and an orphan. The widow wished to have sustenance and for that end she was forced to sell one portion of a vineyard that belonged to her - to S. " (38)

Naturally, not all land investment was profitable. From Benjamin we note that some Jews aboutt Susa who were engaged in agriculture, faired but poorly. The Arab geographers report that at al Susain the Persian district of Khuzistan lemons and sugar cane were grown. They state that this district was also famed for its cloth and silk markets. Susa, being at a juncture of two principal rivers connected by canals, was favorably situated for commerce (39). Benjamin contrasts the wealth of the merchants with the poverty of those who cultivated the gardens and orchards. (40)

The Bet Din of the community often acted as trustee and guardian of lands owned by the orphans, the poor, or by

the communal institutions. A responsum of R. Natronai Gaon⁽⁸⁵³⁾ states, "A Bet Din sold a field, or vineyard, or utensils, or any article for which they issued a bill of sale to him (the purchaser). And later came neighbors that were present there, and they added to the purchase price of the field of the orphans, or of the poor, or of the Hekdesh. If they sold it through announcement, as our sages said, they can't reconsider. If it was done without announcement, since they erred in the matter they can change and reconsider." (41) A similar responsum is accredited to R. Nahshon Gaon.⁽⁸⁷⁴⁾ It begins, "A court sold a field and the buyer gave fifty dinars in the presence of the court and they wrote a bill of sale etc." (42) These responsa indicate how careful the Bet Din were in guarding the landed agricultural estates of their charges.

C. ROLE OF THE JEWS IN HORTICULTURE AND VITICULTURE

The cultivation of fruits in orchards and vineyards being one of the important agricultural enterprises of the time, it is not surprising to find numerous responsa indicating that the Jews were actively engaged in this type of economic endeavor. In the Persian provinces of the Caliphate and in North Africa the Jews were engaged primarily in viticulture. From a statement of R. Natronai Gaon (Sura 853-), it is learned that in some communities no other form of livelihood existed. Hence its produce was used as means of economic exchange. "For the majority of the populace have no other means

of income except those vineyards." (43) Or another responsum reads, "There are amongst them people (Jews) that have no vineyards and they buy from the Gentiles and they fill up their coffers with vineyard fruits that they purchase from the Gentiles." (44) In another community we find a Jew engaged in extensive fig cultivation - and the entire village was known by his name. (45) Jewish gardeners were held in such repute in Persia that they were employed by non-Jewish landowners. (46) R. Petachya - in visiting the garden of the head of the academy - marvelled at its luxurious growth. He wrote: "In the garden there are all kinds of fruits. The garden is very large and there are mandrakes in it. These have the face of a human being and their foliage is broad." (47) On page 25, note 33 - we observed that students were often engaged in pruning vineyards. Another responsum of R. Sar Shalom refers to Jews, students, and men of learning who were pruning vineyards and treading wine vats on half holidays. (48)

As in general agriculture, we can say that many Jews owned vineyards as capital enterprises; those in the lower scale served as tenant farmers; and the lowest class worked as laborers. Jews also had extensive relationships with Gentiles in this field. ~~xxxx of this question will be discussed in Chapter XXX.~~

Grapes were grown in espalier form. "One who owns a stalk of vine or three stalks and they have long branches,

they fasten for then posts in the earth, and tie on top of the posts shoots on this side and on that side. Grapes go up on the stalks and creep along the ground. And there shoot up beneath these vine-stalks or beneath their branches which are on the stalk - all kinds of vegetables, of their own accord. Or if one has to sow various species of vegetables, how far must one remove ~~it~~ from the roots and from the branches?" (49)

People owning orchards were desirous of utilizing every bit of the land by sowing other produce. The Geonim, being concerned with the economic welfare of the Jews, permitted the growth of heterogeneous plants in the same field - outside of Palestine. ~~The following is a list of the vegetables which were sown in the same field as the grapes.~~ Often, vegetables grew of their own accord as indicated in the previous responsum. The usual rule was that grain and vegetables were grown in vineyards. Wheat, barley, cucumbers, and pumpkins were some of the types sown or planted. (50)

In the cultivation of grapes, it was essential that certain processes be attended to immediately or else the entire crop might have been spoiled. Occasionally some work had to be done on the half holidays. The Geonim sanctioned this so that the Jews might not sustain any unnecessary monetary losses. The detailed description forwarded to R. Natronai is worthy of noting: "And you enquire regarding your vineyards whose pruning time and ploughing time reach to the month of

Nisan - and at times the rains come and last till Passover. If they are not well mixed and are not pruned in time they become moist and there is considerable loss. And, at times, when the vineyards are pruned before Passover, and the rains deter them (the Jews) from ploughing them, they become ^{moistened and} cut within five days. And when they plough them the blossoms are torn and fall away because of the ploughing instrument and the vineyard is destroyed and there is considerable loss. In case of all such losses they have a rabbinical ruling permitting either Jews or Gentiles to prune and plough during the half holidays.. They have legal permission in order that an Israelite sustain no money loss." (51) From another responsum of R. Natronai Gaon, other types of work connected with horticulture are outlined - "And raisins that have not dried sufficiently - is one permitted to dry them? and to gather figs and to make them shrivelled and to trim and to graft (them) - for they were not trimmed before Passover -? What of it - for if they would be left alone till after Passover - they would sprout." (52)

As in the case of general agriculture, Jews were in partnerships with Gentiles. The entire relationship will be discussed in Chapter VII. Gentiles were employed for digging and pruning and also for taking care of untilled ground surrounding the vineyard between the vines and the fences. (53) For watching vineyards, both Jews and non-Jews were employed. (54)

People who did not own large orchards often had small enclosures where they raised some grapes and fruit trees. A responsum of R. Shehna states: "He who has an enclosure on the side of his courtyard planted as a vineyard or with fruit trees or part of it is sown " (55) For drying fruits special sheds were available where they were separated and allowed to ripen. Fruits were also ripened on flat roofs. (56) Some of the products mentioned in connection with horticulture are grapes, figs, pomegranates, dried figs and raisins. Wheat, barley, cucumbers, pumpkins, turnips and radishes were also sown or planted in gardens.

One interesting explanation to a Talmudic passage indicates that Jews were engaged in bee keeping. The question refers to the sale of a young generation of bees in a hive. How can the bee keeper distinguish between the old and the new and deliver to the buyer that which he contracted for? The answer given states: "When young bees are born the hive becomes too small to harbor them as well as the old ones. The young leave the hive and swarm. To prevent them from flying away in all directions, the keeper attracts them to a certain place by several sweet melodies on the kettle drum and on the flute, and thence they fly into the new hive prepared for them near by." (57)

D. ROLE OF THE JEWS IN CATTLE RAISING & DAIRYING

In view of the broad pasture lands of the Caliphate, it would indeed be surprising if no Jews were engaged in cattle raising. That, however, is not the case as we can gather from a story from the responsa and from the legendary and historical tale of Eldad, the Danite. Eldad, who travelled in the eastern provinces of Persia, in Babylon, in North Africa, and in Spain, speaks of Jews as having been engaged in agriculture and in cattle breeding. (58) They were also quite naturally engaged in dairying because of the religious prohibition against the eating of dairy products prepared by Gentiles.

In the responsa available regarding cattle - we may assume that the Jews were engaged in cattle grazing - or that they had cattle to hire out. The responsa indicate that Jews owned oxen, sheep, horses, mules and donkeys. These animals might have been bred for agricultural purposes or for purposes of transportation. One responsum of R. Jehudai Gaon indicates that animals were fed with barley fodder. (760) (59) From another of the same Gaon we judge that the wool on the heads of sheep was removed by fire. (60)

On Sabbaths and half holidays, Jews would give their cattle to non-Jews to be taken care of and pastured. The non-Jews often utilized these animals for labor. Gaon Nahshon ben Zadok wrote: " And ye inquire - a Jew who owns oxen, horses and donkeys and cannot feed them in the city, may he give them

over to a non-Jewish shepherd in order to pasture them and stay with on Sabbaths and holidays. Perhaps that Gentile utilizes them for work on the Sabbath ... " (61) Similar responsa are rendered by R. Sherira and R. Hai. R. Sherira⁽⁹⁶⁸⁾ is more explicit and says, "And he (Gentile) rides upon it and he uses it for all his needs." (62)

Jews often entered into partnerships with Gentiles in owning cattle in common - sometimes in order to be exempt from the payment of the tax for the first born of cattle owned. The Gaonic injunction opposed this practice. (63) Different coinage - according to locality - was used in redeeming the first born. As a responsum indicates, "The people of the east redeem the first born by 28 coins and one half Danki, but the people of Palestine with 5 shekel - and that is the equivalent of seven silver pieces in government currency." (65)

Jews often hired out cattle for definite pieces of labor - judging by the responsa of R. Hilai and R. Joseph. This took place especially during the harvest and threshing seasons when the animals were needed by poorer non-Jewish farmers. "An Israelite who gave his animal to a non-Jew - the Gentile brought it to the threshing floor and he is exempt from the commandment 'Thou shalt not muzzle' - for the commandment applies to the plougher and thresher (the Jew) and not upon the animal." (66)

In regard to animals being used for transportation - a responsum states: "And ye inquire - how is it to remove

from a donkey - a saddle or a wagon to which it is joined in order that no harm befall it but to take it off by hand one is forbidden. But a pack saddle one is allowed to remove because it will not fall off of its own accord ..." (67)

R. Nahshon Gaon is asked an interesting question regarding ⁽⁸⁷⁴⁾ transportation - "And ye ask, R., hired out an ass to S. to load it with two kintars and he burdened it with thirty additional litrin. Later, when the animal was returned it remained one half day with R and died." The Gaon decides the case against S. holding him responsible. (68)

As for dairy products, the use of milk of Gentiles was permitted in cases where there were no unclean animals such as swine, camels etc. As for butter, the Palestinian Gaonate forbade its use when churned by non-Jews. In eastern lands, the use of butter of Gentiles was permitted. (69) However, even in this case there were admonishments by the Gaonate not to do so. (70) Whether the Palestinian population had sufficient dairymen or whether it was naturally more stringent is a question for further investigation. Regarding cheese, there seems to have been a general prohibition regarding it. Jews engaged in dairying lived in the suburbs of large Jewish settlements. They seem to have had Gentile help who delivered the goods to the Jewish customers. The cheeses were wrapped separately - and on each wrapper was an insignia which stated that the cheese was made by this individual Jew.

A few responsa are available in reference to this matter. One states: "And ye ask - a Jew that lived in a village and the distance of the village, between him and Kairowan, is ten miles. He sent - with a Gentile - the cheese in a basket and clotted cream on top of the basket. And he sent with him a statement to his constituent which said, 'Know that I am sending you with that Gentile this amount of cheese, and each and every cheese is sealed with a sign (or blessing) in Hebrew writ.' May one eat that cheese or not?" (71)

E. AGRICULTURAL-INDUSTRIAL PURSUITS

Because of religious prohibitions Jews were forced into agricultural-industrial pursuits such as the making of wine and beer. It is evident that Jews were engaged in the making of grape wine and raisin wine. One responsum in reference to the making of grape wine states: "I found in the name of a Gaon that when a man prunes his vineyard it occurs that some of the seeds cleave one to another and adhere as clusters one to the other because they are joined. Yet the liquid that issues from them isn't a loss for the liquid stays and is preserved adhering to those seeds and does not fall to the ground." (72)

Several responsa are available as to the making of raisin wine. The use of wine for Sabbath and holidays even in distant villages necessitated the use of a beverage which could be easily made. A responsum of R. Hai states: "In reference to raisin wine - so did the early Geonim say - where it is with-

ered and not dried up (by the sun) so that when they are pressed wine issues from them ~~and~~ one makes the blessing of wine over them ... " (73) Or one may read the earlier statement of R. Paltoi Gaon, "Raisin wine - when the raisins are ⁽⁸⁴²⁾ fresh they are like grapes and in order that they be not dried up water is put over them and it becomes like ^{strong drink} ~~max~~." (74) Both in the days of R. Natronai and R. Sherira, questions came to ⁽⁸⁵³⁾ them regarding the use of raisin wine for Passover. A question referred to R. Natronai Gaon states: "And ye ask - a place where no wine can be found either in a near locality or in a distant locality and the nights of Passover arrive may he perform the ceremony over honey or a fermentation of figs or any other kind of fermentation?" The answer states, "The ruling is to bring dry grapes before the holiday to soak them in water." (75)

The entire industry - from the treading of grapes and the storing in vats (76) to the bottling in jars or barrels - was done by Jewish hands. Winepresses made of clay and used by Gentiles were not to be used by Jews even if the glazing was first scraped. (77) Wines were invariably made in villages - even as dairy products - and were also individually sealed. A responsum of R. Sar Shalom states: "The wine of a Jew that is ⁽⁸⁴⁹⁾ in villages and it is open, and sealed by the hand of a Jew is permitted to be drunk." (78) Wines were kept in barrels covered with plaster, according to one responsum: "In a place

where there are large barrels they fill them with wine and the barrel is covered with plaster in order that the air shall not enter and spoil the wine. But those barrels have a small perforation and when they remove that perforation it is closed with a bit of flax....." (79)

The Geonim - by not permitting the use of Gentile beer or strong drink - caused Jews to enter that industry. (80)

A description of the way these drinks were made is contained in a responsum of R. Paltoi Gaon: "In this manner do they make strong drink in our places. For strong drink there are three tanks. On the first day they put in one (tank) dates, cascutta and water - and on the morrow they put dates and cascutta in the other tank - and they place over them that water that they put in the first tank on the first day and they put in the first (tank) other water. On the third day they place dates, and cascutta in the third tank and place over it the water they placed on two previous occasions into the third tank." (81)

The responsa further indicate that Jews were actively engaged in the oil industry - especially in Babylon. A responsum of R. Hai states: "And it is a matter of daily occurrence in Babylon that the Jews who own olive presses hire them out (to Gentiles) and our sages had no objection to this procedure." (82)

One of the food-making trades was the baking of bread. The miracle performer, Aaron, who transplanted the mystic

learning of Babylon to Italy - was the son of a miller. (83) In the previous responsum (note 82) olive presses and baking ovens are put in the same category, in reference to their being hired out to Gentiles. (84) Not all ate Jewish bread as can be noted from the following responsa: "And you ask about bread - know that it is a prohibition passed by the wise and it is forbidden to make light of it, for our sages said 'He who eats bread of Gentiles, he is not to receive the lash but they reprove him and say - don't become accustomed to this - and this is rather easy for so we say - this bread heated by a Jew and baked by a Gentile is considered permissable; heated by a Gentile and baked by a Jew is considered permissable; heated by a Gentile, baked by a Gentile and a Jew came and raked the coals is considered permissable' (85) In general, some work however trifling was required by the Jew if he was to eat non-Jewish bread (86) In general, baking establishments of Jews were not to be hired to non-Jews. (87) Special responsa are (88) current in reference to the special baking of unleavened bread.

F. AGRICULTURAL SCIENCE

1. Agricultural Science among the Arabs: The numerous and variegated crops raised by the Arabs were possible only because of the extensive system of irrigation maintained by them. In the ancient agricultural centres of Egypt and Babylon, they were the heirs to the extensive agricultural irrigation system of the past. (89) In countries where water was scarce, use was made of wells and fresh water springs from the mountains. In the desert areas of Persia a fine system of underground canals was developed which bore excellent results. On sea coasts where there was comparatively little rain, advantage was taken of the salt water flood tide which was carried into the interior, and of the fresh water springs of adjacent or distant hills. (90) In North Africa, Ibn Hawkal (in the 10th century) speaks of the extensive and flourishing crops - made possible by the system of irrigation of water wheels. (91)

The entire canal system in Babylon - from Baghdad to Wasit, further south - (see note 89) - was maintained by the public treasury. Repairing the sluices of the Tigris and Euphrates was deemed indispensable for the fertility of the land, and therefore the cost of this was entirely defrayed by the public treasury. (92) In this section lay the great majority of important Jewish settlements. (93) The change in the river's course was due primarily to the lack of maintenance of the intricate canal system. (94)

Egypt's wealth was based upon the source-giving Nile. A description of the Nile's rice is given in Benjamin -and the method of agriculture practiced is contained in the Encyclopedia Islam article on Egypt. (95) A special department had charge of irrigation and appointed inspectors annually to maintain the government dikes and dams. Gibbon reports that about one third of the tribute went for repairs of the canals. (96) The local dikes were left to the management of the locality - the expenses being paid out by local funds. In a like manner ~~that~~ the Jews in agriculture ~~have~~ allotted funds for the maintenance of their dikes and water. The government also utilized the corvee system in maintaining its lands. 120,000 laborers worked throughout the year repairing and improving the water works. (97) Ibn Hawkal, in the 10th century, reports that out of the 100,000 canals - 20,000 were navigable. The result was greater and more abundant crops, and cultivation of vast otherwise untilled lands. (98)

2. Agricultural Science among the Jews: Preceding a study of the methods of agriculture in vogue, it would be advisable to obtain a glimpse of the layout of a field. From R. Hai's 'deed for sale of agricultural lands' the following (99) may be noted: "And this land I sell, I to him, its earth, its soil, its clay soil, its stones, and its holes around the vines and all furrows therein, and all its plants and trees and palm shrubs and date palms and palm leaves and

small stone palms that are in it and all its buildings and prickly shrubbery used for fencing and its partitions, its fences and future seed that is in it and all watering stations and its highroad, its paths, lanes and passageways and all earthen clay that is in it and all income and profits accruing ~~to~~ ~~it~~." (99)

From this document one may infer that:

- a. vines and all types of palms were grown together with other produce.
- b. clay soil was very valuable for agricultural production.
- c. lands were well irrigated.
- d. lands were frequently rented.

The Jews, in cultivating their fields, vineyards, and orchards, naturally utilized the system of irrigation then in vogue. One reads of a Jewish official, Abu'l Munajja b' Sha'ya, who was the head of the Department of Agriculture under Al Afdal. This official gained fame because of the digging of the Nile Canal which, after many years of work, was opened in 1112. The canal was in the Delta region and, because of its service, the people called it by the name of the Jewish official - although Al Afdal officially called it by his own name. (100)

In the deed for sale of R. Hai Gaon, the following reference is made to the means of irrigation: "I sell him these lands which belong to me in valley so & so, which is by river so & so or by these living springs and their

irrigation waters.and this I sell all watering stations and springs and the station where the water is brought up and the station where the water goes down..."(101)

Several interesting responsa are to be found on the question of irrigation. In one case we read of R deciding to change his shaded field - that is - of fruit trees - for one of shadeless trees - apparently for the growing of grain. S, his neighbor, whose fields are along the same canal objects - "For the waters of your field pass my field and previously you would water them once a month and now you want to water them more often which will result in my loss." (102)

In addition to the two types of agriculture indicated, the responsum adds that the trees grew along the bank of the canal. It would seem that the grain growing type of agriculture needed more irrigation than the cultivation of fruit trees.

From another responsum we note that water was brought in from the irrigation canal to water the lands nearby. To accomplish this either one walked along the bank of the canal or walked into the canal itself. Often it was difficult to walk through the canal because of the overhanging branches of the fruit trees which grew along the banks of the canal. The responsum reads: "S complains about R saying, 'don't walk through any other way except through the water and don't trample upon my field and cause damage to my fruit'. And R argues against him - 'the branches of your plantings extend over the

canal and they impede my walking through it (the canal)"

In the same responsum we find the following interesting remark: "And furthermore R wishes to dig each year the irrigation canal and to bring up its earth and deposit it along the banks." (103) Fields naturally improved with the addition of the alluvial soil of the canals and such a practice must have caused constant bickering among the farmers who lived along its banks.

Another interesting responsum was forwarded to R. Sherira: "We have gardens and orchards and part of which is filled with trees and part is shade less. Some of them can be watered any day they wish and some of them (the people) may do it only on the Sabbath in accordance with an unalterable custom of ancient days." The reference made is probably to the irrigation system as practiced in Babylon. There, the fields adjacent to the canals were irrigated in accordance with a fixed order. (104)

G. DECLINE OF THE JEWS IN AGRICULTURAL PURSUITS

Agriculture was not profitable at all times even under Muslim rule - and hence one finds the Jews, during the Gaonic period, turning to crafts and more particularly to commerce. Until the 9th century wars were being constantly waged between the opposing forces of the Arabic governors. Until the reign of the Abbasids, the canal system was neglected and Jews, as well as others, were forced to enter other fields. Another cause of the depauperization of the peasant class was the unfair tax system. The taxes were both burdensome and unfair, being based on the extent of the estate rather than upon the actual produce. (105)

All the above mentioned factors tended to drive the Jews of Babylon out of agriculture even while they remained farmers and orchard cultivators in other lands. A responsum of R. Moses Gaon (Sura 832) states: "For here in Babylon the majority of the people have no lands. Therefore the later sages declared an enactment in order not to shut the doors before ^{creditors} creditors..... but in other countries the majority of the populace own landed estates." (106) (107) This is an indication that the Jews of Babylon were the first to leave agriculture while one finds agriculture was still practiced by Jews elsewhere as a means of livelihood for many centuries. The building of Baghdad in 762 may have been another reason for the exodus from the land.

As decentralization set in and as disputes between generals, governors, and the Caliphate became frequent, the farmer naturally suffered. Exorbitant fines were demanded, settlements were raided, soldiers were billeted and produce was confiscated. Raids were made by the regular armies as well as by the Bedawi. Whenever persecution set in there was always a tendency towards other means of livelihood. In a responsum of R. Nahshon we find: "Once the cistern of an Israelite was full of wine and a violent Gentile came and stretched out his hand into it for spite." (108)

In another statement of R. Hiyya bar Nahshon, the Head of the Academy, one reads, "And if Gentile robbers came to the villages of Jews and they robbed and despoiled everything and they found jars and barrels full of wine and they drank it and they spilled and broke (them) There remained in those barrels, some which were full and some which were half full". The question resolves itself down as to the aim of the robbers - was it murder or robbery of all valuables? The responsum ends with the statement: "We only sent you an answer to this question that you asked because we found that the Torah is concerned with the economic welfare of Israelites." (109)

In Palestine, we know that at times the Muslims drove Jews off their lands and then occasionally permitted them to return as tenant farmers. (110)

In North African lands the inhabitants were often forced to wander because of sudden raids. Their lands often remained without ownership for several - or many- years. Some times the owners of the property or their heirs returned to cultivate the soil. A responsum of R. Hai Gaon states: "R⁽³⁹⁸⁾ had land in Tlemsen and he was exiled to Ashir and the land remained public property (without ownership). Years later they all returned to Tlemsen and they took hold of the property of their father and mother.....and in addition they had other private property." (110)^a

Under such conditions it would be natural for Jews to leave their villages and agricultural life to enter ~~the~~ ~~crafts~~ industry and commerce, ~~particularly~~.

CHAPTER III

C R A F T S

A. CRAFTS IN THE ARABIC WORLD

All industry in Islam was theoretically under the rule of the Caliphate. In actual practice, however, the crafts were divided into guilds and syndicates under the supervision of their respective chiefs. It was the respective chiefs of the crafts rather than the government that regulated the trade - rewarding the industrious and punishing the fraudulent. (1) The various guilds or crafts occupied special quarters or streets which were named after them. (2)

It is apparent that the craftsmen served every unit of society. The splendor of the nobility - with their gorgeous and impressive garments shot through with fine gold - was dependent upon the skill of the craftsmen. The military group was likewise dependent for their weapons upon the skill of the craftsmen. Shields, bucklers, lances, blades, helmets, bows and coats of mail were implements made by the craftsmen of the day. (3) For the bureaucracy the craftsmen manufactured parchment and paper and made scientific instruments. It was, however, the masses that needed the services of the craftsmen most - for their farm implements, household utensils, clothes and their very homes and buildings. The crafts of the Arabic world can be divided into the following categories:

1. Textiles - including making of cloths and carpets and the extensive dyeing industry and tailoring
2. Ceramics & Glass Craft - including making of utensils, tiles, ornaments, windows & lamps
3. Metal & Wood Crafts - including making of household utensils, ornamentation in mosques & palaces, & luxurious articles of gold & silver, brass & copper
4. Leather Craft & Manufacture of Parchment & Paper
5. Building Trades - including masons, stone-cutters etc.

Textiles: The east was the place for sumptuous apparel and the seat of the textile industry. The very names of various textiles indicate their eastern origin. (4) Weaving was carried ^{on} in non-Muslim towns and quarters. The seat of cotton was upper Egypt and Syria. The towns of Alexandria, Damietta and Tinnis were famed for their workshops in which unusual cambric fabrics were made. At Tinnis, where there were 10,000 shops, the irridescent bakulamun - which was said to change color constantly - was made. From the fine Delta flax was made famous linens. Some of the special brands were Dungate, Sharb and Kassab. (5)

The silk industry - which was first developed in China - was adopted by the Persians and thereby transmitted to the Arabs. Baghdad was famed for its tabby silk, Damascus for silks and brocades, Armenia for its brightly colored heavy silks and Egypt for its yellow silk. The huge canopies of the east were known for their rich silk stuffings. (6)

Persia and Syria and Armenia were noted for their carpet, rug, and mat industries. The ancient factories of Tarvaz, Shata, Ray and Marv continued to function in Arabic days. Their carpets were world famed and were exported to eastern Asia (China) and northern Europe. Especially excellent were the Armenian purple carpets. (7)

A great quantity of woolen stuffs were made in Egypt and elsewhere. Woolen turbans was a special item in use everywhere. Woolen goods, also, were exported to northern Europe.

The textile industry was both a state and private enterprise. The special robes of the court and of the nobility were created in the factories controlled by the state. Associated with the weaving industry was the dyeing and tailoring trades. Beladkori, in Armenia, was known as the town of the red dye. (8) Each city had its own dyers' guild which specialized in particular brands. (8a)

The Arabs were fond of display - one discovers upon reading the royal inventories of dazzling robes. The designs of the Persians, Copts, Indians and Chinese were adopted by the Arabs. A fabric composed of a mixture of cotton or linen thread with silk can be termed distinctly Arabic. Silk robes shot through with gold, embroidered with portraits of kings, or with flowers and animals were woven by the finest art craftsmen of the day. The richness of the robe was an indication of the rank of the individual. The lower the rank in court,

the plainer the robe. Those who earned the royal favor were granted special robes of honor. (9) In addition to costly garments, mention might be made of the magnificent tents made of cloth of gold, velvet, satin, damask and silk. These were used for state occasions and for sacred purposes. (10)

Glass Craft and Ceramics: The glass industry which had many an ancient tradition reached its height about the year 1000 - under the Arabs. Its technique was probably developed entirely by non-Muslims. (11) The Arab rulers encouraged glass manufacture. The centers of the glass industry were Palestine, Syria, Egypt, and lower Mesopotamia. The glass factories at Hebron and Samaria were noted for their goblets, bottles, and plates of painted glass. Damascus and Tyre exported their glass vessels to all parts of the world. Old Cairo was famous for its glass of singular purity and transparency. Lower Mesopotamia was famed for its white glass lamps which were decorated with blue ornaments and inscriptions. Enamelled glass, drawn glass, and glass cut on a wheel were made into cups, saucers, plates, bottles, tumblers, and flasks. (12)

Ceramics, under the Arabs, was a flourishing and highly developed industry. Their ware was well baked and not gritty, being either glazed or enamelled. The pottery at Fustat was so delicate that one could see one's hand through it. (13) The role of ceramics increased in view of the Abbasid bias against the use of metal vessels. The colors of metals were

transferred to glass with unusual skill. The change of dynasty often meant a complete change in the art and style - for each emperor called in his own native craftsmen. The early Mesopotamian traditions gave way to the Persian school. The highest development of ceramics was reached in ^{the} Fatimid era. Life and feeling were noted in the several forms. Geometric designs were interplayed with figures of animals and humans in relief. (14)

Metal Craft and Wood Craft: The ancient art of metal working in gold, silver, iron and steel flourished under the Caliphate. (15) Tinnis, in Egypt, was noted for its steel cutlery, al Jubal for its combs and needles, Kirman for its iron weapons and coats of mail, and Damascus and Antioch for their blades. Metal bowls, incense burners and lamps were used for domestic purposes. As the Arabs expanded and developed, their taste for luxuries increased. Articles of gold, silver, and copper were used everywhere. Their love for jewelry and ornamentation gave an impetus to the skilled craftsmen. (16) All early Arabian metal work indicates a lavish use of silver inlay. Bowls, plates, boxes, mirrors and vases were all lined with exquisite inlaid metal work. Some of the more precious objects made were metal cases for Korans, massive candlesticks, bronze or silver inlaid brass chandeliers, doors of mosques and tombs covered and embossed with metal. (17) The exploitation of precious stones from the Persian Gulf and

from the mountains lead to a lavish use of stones among the well-to-do. The lavish display and splendor of the Fatimids gave an opportunity for all craftsmen to develop their art. The artists of Fatimid Egypt have not been paralleled anywhere. (18) (19)

The work of the wood craftsmen was to be found in objects of domestic furniture and in some household utensils - but especially in the mosques, palaces and homes of the wealthy. The doors and ceilings of the mosque - the latticed windows, the pulpit, the Koran desk, the doors, cupboards and tomb casings - all lent themselves to the art of woodcraft. Even in Egypt, where wood was scarce, wood ornamentation abounded. (20) In the early centuries the Coptic tradition was pursued. In the 9th century the art of woodcraft received a great impetus from the school of Samarra in Mesopotamia. Stucco walled decorations and geometrical interlacing in open-work are some of its characteristics. Under the Fatimids, woodcraft also reached its height. Ornamental panels supported by frames of wooden beading prevented warping from the heat. The arabesque designs gave way to figure decorations on backgrounds of floral scrolls inlaid with ivory. It can readily be understood that the artists who did the fine carvings in mosques must have employed their skill upon other objects as well. (21)

Leather Craft & Manufacture of Parchment & Paper:

Leather workers and tanners were not held in great esteem by the populace. ~~was the tanners as well~~ They made shoes, harnesses, saddles and leather wallets etc. In Baghdad, the tanners' yards served as the places for the unloading of cargoes.

The manufacture of papyrus disappeared with the introduction of paper. Paper was a natural development of cotton. After capturing Samarkand in 704, the Arabs learned to grow cotton. Towards the end of the century, the first paper factory was established under government auspices. Gradually, throughout the empire, paper factories were set up and developed. All types of paper - silk paper, note paper, smooth and ribbed paper - were manufactured. It was not until the 12th century that Europe used paper to any extent. Even in Islam parchment was used for sacred books and for permanent records. (22)

Building Trades: The building trades were indeed numerous when we consider that roads, fortifications, towers, gateways, moats, water supply, homes, palaces and mosques - and also decorative objects - depended on them. The architectural forms were influenced by Mesopotamian and Syrian architects. Constructions of beautiful mosques and other important buildings spread throughout the entire Islamic empire. In decorating, the Mohammedan hated empty space and resorted

to the use of geometrical, arabesque design and decorative writing. The homes of the wealthy also had figure representation. A special school of painting developed at Basra. Stucco or plaster borders, gilded walls, screens, mosaics and tiles - plus the extensive metal and wood ornamentation made the important edifices buildings of beauty. Artists and architects lavished attention on the decorations of mosques, drinking fountains and mausoleums. (23) (24)

In summary, the arts and crafts of the Muslims was furthered by the fact that the subject nationalities were permitted to produce and manufacture their own wares. The support of the state did a great deal in developing some special crafts. The nationalities that played a significant role in crafts were the Arabs, the Persians, the Copts, the Jews and the Turks. Persian influence was predominant in many fields. (25)

B. THE ROLE OF JEWS IN CRAFTS

It is well known that Jews played a significant role in crafts in Talmudic times. Crafts were handed down from father to son. They were organized into guilds and were held in great esteem. (26) Under Arabic rule the same pattern continued. In general, the Jews followed the same crafts as did the general populace. In a register of taxpayers of a Jewish community, probably near Fustat, the following are mentioned: a registrar, a scribe, a tailor, a glazier, goldsmiths, silversmiths, and candy-makers. (27) It follows that Jews were to be found among the higher crafts as well as those of the lower order. They were found among the skilled jewellers,^{and} among tanners, cuppers and fullers. They were poor tailors and also manufacturers of the finest silks and cloths. There are indications, however, that Jews began to concentrate in certain crafts. It is evident that (28) they played a significant role in the textile and metal crafts. The reason for this is purely sociological. The concentration of Jews in areas where cloth was produced, and the accidental patronage of the government, as well as family relations are perhaps the underlying causes - these rather than a more conscious and deliberate selection. Craftsmen were as highly esteemed as in Talmudic days and there was no rigid social stratification. It is evident that even some of the Gaonim came from lowly origins. (29)

1. Textiles: It has already been mentioned that the Jews played a significant role in the textile industry. They were weavers and manufacturers of cloth and silk. They were dyers and tailors, and their skilled craftsmen wove many objects which had distinct artistic worth. In all Babylonian cities, in Palestine and in Egypt - Jews were extensively engaged in cloth making. The weavers of Alexandria had special places set aside for them. ^{in the Barmide?} This was arranged so that the new arrivals could easily place themselves. (30) *on which parcel?*

A Genizah fragment relates the tale of two Jews who were engaged in the manufacture of cloth for more than forty years. One of them travelled while the other stayed at home, which was often the arrangement in partnerships. They were general merchants who had specialized in being textile entrepreneurs. They advanced money to weavers and received the cloth as it was produced. The man travelling accused his partner of inertia and timidity. He wrote, " My opinion is that you are shiftless and want people to come into your shop.... You went to the weaver as one who does not buy anything except for cash. Now you and I - the first time we did business with him - found that he had no more than a little in excess of 30 kasabaks. Yet we paid the 100 dinars and you got all the rest of the cloth, little by little....." (31)

In reference to textile manufacture, we note that Jews were engaged in all processes - producing colored cloth, yarn, and silks. Another fragment states, " And I said to them - 'When you have bleached the yarn and finished reeling

it, take whatever you can get among yourselves for weaving it and embroidering it." (32) This further substantiates the practice of the Jewish merchants engaging the Jewish craftsmen to weave and embroider textiles.

In the manufacture of cloth and garments, it is evident that women as well as men participated. This was especially true in distant communities of North Africa, Sicily and Spain. In those sections the articles made were not sent to cities but were sold to passing caravans. (33)

The Jews played an important role in the silk industry. In the Pyrenean peninsula, silk weaving was mainly in the hands of Jews. It was one of their chief sources of wealth. Jacob ibn Gau and his brother Joseph were commissioned to deliver to the court costly silken stuffs and war banners - which were to be artistically embroidered with Arabic proverbs, emblems, and decorations. ^{Before} Ere they rose to that distinction they had served their apprenticeship sitting at the loom themselves - (c 975). (34) In Sicily, also, the production of silk was largely in the hands of Jews. For this monopoly they paid heavily to the state treasury. (35) ~~Jews were in control of the silk industry in Sicily, for King Roger had transferred Jews from Greece to establish the industry there.~~ (36)

Several responsa, indicating that Jews were engaged in the cultivation and breeding of silk worms, are available. R. Hai Gaon was asked, " ... concerning individuals who were ⁽⁹⁹⁸⁾ accustomed to purchase mulberry leaves and leaves of other

trees for the purpose of silk production....." (37) Another responsum of the same Gaon states, " There are in our localities people engaged in silk worm (industry) and our predecessors would feed the worms on holidays but not on Sabbath... ." (38)

In the dyeing industry the Jews also participated, as is to be expected. At the time of Benjamin's travels it is evident that the Jews of Palestine were given a monopoly of the dyeing trade. He states, " In Jerusalem there is a dyeing house for which the Jews pay a small rent annually to the king (Baldwin III) on condition that besides the Jews no other dyers be allowed in town. At Bethlehem there are two Jewish dyers; at Beit Nubah (Nob near Ramleh) there are two Jews who are dyers; in Jaffa one Jewish dyer; in Lydda one Jewish dyer. In Kiryathim no Jews live except one dyer." (39) All told, eleven dyeing establishments are listed.

R. Petachya, travelling a few years later, reported: " In Susa there were two Jewish dyers. In Jerusalem there is one dyer and he pays considerable taxes so that the king permits him to stay there." (40)

From the Cairo Genizah we have the following extract from the notebook of a merchant engaged in the dyeing industry:

Detail of sum spent for dyed silk:

The stock unbleached - 66 rotls (12 oz. ea.) --
price 300 dinars. (41)

Expenses & other necessities paid out:

Firstly, diminution in the value
of 66 rotls 20 dinars

And in crimson for the dyer..... 85 "

And in expenses connected with this.... 25 "

And in wages for the dyers..... 20 "

And in 'tree green' & green dye..... 24 "

- - - - -

The whole sum equals174 "

The two sums equal 474 "

There resulted actually of dyed goods 66 rotls.
(42)

The Jews, in their natural desire to appear well dressed for the holidays, often gave their garments to a dyer or tailor for dyeing. The dyers, upon receiving the garments, put them into a vat ere Sabbath began. As one responsum states, " One is permitted to give clothes to a dyer on the eve of Sabbath before it is dark, for the law is in accordance with Bet Hillel." (43)

The proverbial tailor was poor even in Gaonic days. A responsum of R. Natronai Gaon states, " And you ask about
(853)
tailors, leather workers that are poor and support themselves by their handicrafts. Shall they do their work on the half holidays or not - and also those who do their work always in

public places? From this we learn that tailors, leather workers and fullers - since they have to - are permitted to do their labor on the half holidays." (44)

From the prohibitions regarding the mixing of wool with cotton, linen or silk - which was customary in the making of Arabic textiles - some garments and objects are mentioned: ~~garments~~ clothes, pillows, blankets, door curtains and saddle cushions. (45) In the responsa, the use of the term 'sewing' rather than the generic term 'using' appears, indicating that these regulations were meant for weavers and not only for consumers. In connection with dyeing and tailoring there were the cleaners who laundered and cleaned garments. One responsum gives the process of laundering: " And the explanation of fine laundering is that after it is cleaned in washing, the garment is gone over with a ring to polish it." (46)

Indications are present from the Genizah that some artistic work was done by Jews in Textiles. One responsum states "Or even then they embroidered panels of proverbs and blessings onto the garment." (47) The grandeur of the work of the Caliphs was adopted by the Prince of Captivity. He was surrounded by a retinue - wore silken garments etc. At the time of installation the rich and influential sent noteworthy gifts - " And all the representatives of the community and their wealthy send him lovely garments, beautiful ornaments, and gold and silver vessels, each and every man offering according to his ability." On the Sabbath of installation in the synagogue

".... they had already prepared for him a pulpit from the preceding day - a canopy of wood, its length was seven cubits and its width was three cubits. They spread over it gorgeous silken coverings, and coverings in blue, purple, and scarlet red until it was entirely covered, and nothing of it was visible And over his seat (Exilarch) above the canopy was spread a gorgeous covering that was knit with byssus and purple." (48)

The use of luxurious tents or canopies for installation and festive occasions was the result of adopting the customs of installation prevalent in the east. Rabbi Petachya, having witnessed the grandeur of the heads of academies, reported:

" The head of the academy occupies a large house which is covered with tapestry. He, himself, is clothed in garments adorned in gold..... Al Baghdad (the head of the academy) is clothed in golden colored garments like a king, his palace is hung with costly tapestry like that of a king." (49)

We can safely assume that many or all robes connected with academies, synagogues or even Jewish officials were ordered and made by Jewish craftsmen.

While the law required^a Tallit for services, it seems that it was customary for portions of the eastern populace to use them as the ordinary costume. R. Petachya remarks, " In the city of Baghdad there are about a thousand Jews They walk about wrapped in cloth. They all walk about wrapped in their praying scarfs of wool with fringes." (50) There can be no doubt that the making of praying shawls was a distinct

and flourishing Jewish trade. Another element in religious life which provided work for the artistic craftsman was the weaving of cloths, tapestries, rugs and covers for synagogue use. Some of the paraphernalia of a synagogue near Fustat is inventoried as follows: " 32 Sefer covers made of silk. Some of the Sefer covers were brocaded with gold. In addition 2 Sefer covers. All in all there were 24 such covers." (51) Inventory of another synagogue of the Babylonians in Fustat in the 11th century reported: " Robes of many hues, including girdles and breeches for the priests. A green curtain for the door....." (52) A responsum of R. Mattathias Gaon states: (861) " It is customary to sit in synagogue on pillows, bolsters, and fine mattresses on the Day of Atonement." (53) The shrouds of the dead were also artistically and beautifully woven as one judges from the report of R. Jacob Ha-Cohen who also travelled in the east during the latter part of the 12th century. He reported " The tombs of our ancestors extend about two parsangs because the Gentiles used to take the dead out of their graves because they wanted the golden thread with which their shrouds were sewn." (54)

Further information regarding the textile art works will be discussed in Chapter V.

2. Glass Craft and Ceramics: In the Gaonic Age Jews were engaged in the making of glass and pottery. In the tax list of Fustat mention is made of a Jewish glazier. (55) Benjamin reported that " in Antioch ten Jews lived there engaged in glass making. Tyre contains about 500 Jews. The Jews own sea going vessels and there are among them glass makers who make that fine Tyrian glassware which is prized in all countries." (56) It is thus evident that Jews were both craftsmen and entrepreneurs in this trade. The famous Tyrian glass mentioned was cut on a wheel. (57) This trade, as many another, was handed down from father to son. The skilled craftsmen had a tradition of their own, making glassware of rare beauty and transparency.

In the various responsa, the following glass articles are mentioned: glass vessels, pitchers, bottles, flasks, and Sabbath lamps. The religious regulations regarding forbidden wine necessitated the manufacture of bottles, flasks, and casks for the wine trade. R. Hai Gaon was asked: "Wine that a Jew brought by means of a Gentile boat - and the bottles of the Israelites are known and the names are written over them and they are tied at the openings with knots that are known to them and sealed with their seals. And when the boat was being loaded, the bottles were mixed with the bottles of the Gentiles that were placed there ?" (58) That Jews could not readily use bottles of Gentiles but had to resort to their

own is also gathered from this responsum - " And bottles of Gentiles that had contained wine of non-Jews - it is prohibited for an Israelite to put wine in them for a period of twelve months." (59) Of course, methods of purification were provided whereby non-Jewish vessels might be utilized at once.

Even as the Muslims made beautiful lamps for the mosques, must it have been customary for the skilled and artistic craftsmen to make lamps for the synagogue. A responsum of R. Natronai Gaon states that glass lamps were used in all synagogues. ⁽⁸⁵³⁾ It reads: " And you ask - for you are accustomed to light glass lamps in synagogues on the eve of Sabbath. When they are lit they place water at the bottom and oil on top of it. Now, when the light reaches the water, it becomes extinguished - and if there is no water in the lamp, it cracks and is lost. This is our opinion - this deed does not cause extinguishing and this is the custom of all Israelites" (60)

Another responsum explains how glass vessels were fumigated - " Vessels of glass are fumigated by olive oil smoke until ~~the~~^{they} become black. The blackness is scraped and they put into it a bit of oil with which it is mixed, and it is dried in the sun and it is cleansed inside ^{by} the fluid." (61)

Jews also worked as potters, as may be inferred from several Responsa. One states that the potters made their vessels water tight by lining them with sulphur and polishing or glazing them. (62) Pottery must have been fumigated - judging

from a responsum of R. Sherira Gaon. (63) ⁽³⁶⁵⁾ Potters were often given vessels to repair. If these vessels were uncalled for or unpaid for, the potters sometimes sold the wares. (64) Vessels were frequently given to the craftsmen for repair just before the holiday season. (65)

3. Metal Craft and Wood Craft: In earlier Tannaitic days, Jews played an important role as workers in iron, brass, and fine metals. In Alexandria, the gold, silver, and copper smiths had special sections and seats in the famous Alexandrian synagogue. This was arranged so that the recent arrivals might more easily become acquainted and join the new community. That particular synagogue was destroyed in the days of Bar Cochba. In Talmudic days, the coppersmiths - who were organized into a guild - carried with them, each a folding bed and a leather apron as insignia of their profession. In Jerusalem, metal workers had their own synagogue and burial plot. (66)

The role of the Jews in metal craft - during Gaonic days - did not diminish. The metal articles mentioned in responsa and Genizah fragments are: copper bowls, metal clocks, arms, candlesticks, steel locks, marriage rings, gold dust, crowns for Sefer Torah, golden ornaments, earrings, amulets, knives, and razors. In view of their use, one may assume that at least some - if not most - of these articles were made by Jewish craftsmen.

A copper bowl is mentioned on a book-list of the Synagogue of Fustat (1080). Responsa indicate that craftsmen constructed clepsydra. " These are copper bowls whose bottoms are bored and they are made to estimate the hour. They place them in water, and when the waters enter up to this peak - it is a half hour; and until this peak - it is an hour; until this peak - it is an hour and a half. And the points are called peaks." (68)

In another inventory of a synagogue of the 11th century in Fustat, ' candlesticks of brass and otherwise, and candlesticks with a large brass chain' are listed. (69) Because of the generous treatment of non-Muslims by Fatimids, some Arabic writers said that the latter were descended from Jews - the first of which, Caliph Ubaidallah, was a locksmith ere he rose to fame and power. (70)

It has been indicated that most of the goldsmiths were Jews. (71) These Jewish goldsmiths - or jewellers - had access to royalty and nobility as they were employed by them. The Persian traveller, Nasir i Khusrau, who visited Egypt in the years 1046 to 1049 related this incident of an eye witness: There was a Jewish jeweller who had free access to the sovereign. He was rich and the Caliph trusted him entirely with the task of acquiring precious stones for him. One day the jeweller was murdered by the Caliph's soldiers. The Genizah fragments indicate that both this jeweller and his brother

were killed in one day. (72)

Another tale indicating the relationships of Jewish jewellers with the Caliphate follows: 'The widow of Kafur complained to the Fatimid Caliph, al Muizz (952-975) that she had entrusted to a Jewish goldsmith a Kuba woven with gold and pearls and that he denied having received it. The Caliph sent for him and urged him to give back the article but he persisted in his denial. The home was searched and the Kuba found buried in an earthen jar.' (73)

However, the Jewish jewellers worked not only for the caliphs but made ornaments and jewelry for their brethren as well. Amulets, which were common ornaments in Gaonic times, were also popular with the Jewish populace in Mohammedan lands. (74) In Talmudic days, the marriage ceremony was performed by money or its equivalent - sometimes fruit or silks being used. In Gaonic days, in Babylon, it was customary to perform all such ceremonies with rings. This custom is also referred to by Saadya and Hai Gaon as being well established. (75) Both men and women, among the Jews, wore rings on their fingers - and the women also wore earrings - as is indicated in a responsum of R. Natronai Gaon: "And you asked - women are permitted to go out on Sabbath with earrings? However, a woman does not go (walking) wearing a ring that has a die upon it - nor does a man with a ring that has a die upon it....." (76)

The signet ring of the Exilarch which gave his documents official status had a seal which bore the imprint of a fly (butterfly). (77) That these rings and the vessels in gold and silver which were donated to the Exilarch were made by Jews may be surmised. The ornaments in the synagogue also provided an opportunity for these craftsmen. Crowns and other objects of art were used to adorn the Torah even as they are today. A Genizah fragment reports the following inventory of art objects of metal owned by the Palestinian synagogue in Fustat:

Two Sefer Crowns made ^d of silver
 Three pair of pomegranites made of silver (hung on
 a scroll of the law)
 Thirty-six plates (for ceremonial use - Passover)
 Two large candelabras of copper
 Two small candelabras of copper

All of this Thahir received. (78)

As a result of the extensive use of silver ^{gold} in the Fatimid period, the Jews adopted the use of silver ^{gold} art objects to adorn their religious edifices - and their utensils. (78a) It can be assumed that these craftsmen also furnished the homes with Sabbath candelabras, menorahs, etc. A civil document of 1151 C. E. mentions 'Joseph, the goldsmith ben Jehuda. (79)

An important tool for the gold and silver smiths was the special grindstone. In a will we read: "And I leave a grindstone with which they grind gold and silver dust

When my end will approach and God shall decree my death
 let the three youngest sons receive eighteen portions of my
 inheritance - but the grindstone is to belong to them solely" (80)
 The above indicates that not only was the grindstone precious
 but that the trade was handed down from father to son. Grind-
 stones were often hired out to non-Jews, as is evidenced from
 a responsum of R. Natronai Gaon. (81)

The prohibition against the use of non-Jewish slaught-
 ering and circumcission knives lead to the making of these
 special ritual instruments by Jewish craftsmen. (82)

Neither were blacksmiths lacking among the Jews, ac-
 cording to a responsum advising the Jewish merchants on the
 road to have their horseshoes repaired by a Gentile smith. The
 inference is that Jewish blacksmiths were discriminated against. (83)
 The Jews in the east played some part in the armorers' art -
 especially during the early days of the Caliphate. The Jews
 of Arabia were largely engaged in the manufacture of swords.
 Many of the arms - and particularly the swords - employed by
 the prophet's followers. came from the spoils of Jewish colon-
 ies. One notes from Benjamin's description of Tarmod, Yemen,
 Aden, and the land of the Mulahid - that the martial spirit of
 the Jews was not diminished. He also speaks of the Rabbi of
 Ispahan who could draw a bow better than all the king's archers.
 That many of these tribes manufactured their own weapons may
 be surmised. (85)

Few, indeed, are the responsa which indicate the position of the Jewish artisan in woodcraft. A British museum fragment indicates the use of incised inscriptions.

The inscription reads:

" Hear, O Israel the Lord our God, the Lord is One,
And I with abundant kindness will come to thy
house - I will bow down.....
Obadiah, the son of Yefet known as Abu Al-Meali
The Lord (have mercy?) upon him."

It was written on an oaken board measuring about 4' 5½" by 9" and was about 1" thick. The inscription was fixed - with one or more supplementary boards - over the doorway on the inside or the outside of an ancient disused synagogue in Old Cairo. The nails - five in number - by which the board had been fixed up are still in the wood. The board may belong to the 12th century or earlier. Three straight lines were cut into the wood over the inscription - two between two lines of incised writing and one under the inscription. (86) More elaborate decorations must have been in vogue - judging from the prohibition of human motifs upon utensils of wood, bone, or glass. (87)

Wooden vessels, dyed and figured, were used for hot food in Persia (87a). Synagogue furniture - such as seats, stands, and pulpits lent themselves to the art of woodcraft.

A further discussion of Jewish art work is offered in Chapter V.

4. Leather Craft & Manufacture of Parchment & Paper:

Sufficient responsa and fragments are available to indicate that the Jews were extensively engaged in the production of leather and leather articles. Leather-workers were organized into guilds and, judging from a responsum of R. Sherira or R. Hai Gaon, they had their own synagogues in many places. (968) (998) The question asks - why is there a teaching that scrapers, smelters of copper and tanners are free from making pilgrimages? In his answer to this, the Gaon gives some vivid descriptions of these trades in his day: " Thus we see that they cannot be improved for their skin absorbs a bad odor for which there is no remedy, and from the pores of their bodies exudes a bad odor which no thing can eradicate. And in those years it was customary for every individual to separate himself from these craftsmen, and they did not sit with them nor mix with them. Therefore they had special synagogues for themselves and these exist even now in many places " (88)

Another responsum describes the use which tanners made of their wells: " R. sells to S. a well for a tannery and he did not mention to him its use. It is the practice of tanners who have wells that they have places above the wells (in order) to take out the hides which come out of the well and to lay them out What is the law if he sold it to him as an ordinary well and did not make mention (of its use) - is he required to give it up or not.....?" (89a)

In Arabia, the Bnai Kainaaku were known as excellent leatherworkers and had their bazaars in the centres of the cities. (89) The tanners lived in special streets, as is evident from the layout of Baghdad (90) or Fustat (90a). In Babylon itself, Benjamin reported that the lowest class of taxpayers were the shoe-makers and dyers. The tanners, fullers, cuppers and butchers were reported to be the humble tradesmen among the poor of Ispahan. (91) In Aragon and Castile, the Jewish shoe-makers, saddlemakers and tanners were as numerous as the metal-craftsmen and dyers. (92) That leather-workers and tanners were not held in great esteem, we observe - not only from note 88 - but also from a report of Risala al Jahiz, c 850. (93)

A type of slipper is described in one responsa - " I have seen in a responsum of the Gaonim that they were accustomed to put on beneath their shoes and (tie) over them prepared goat skins At times they are made of wool and they term them felt cloths and they are hard." (94)

T'fillin, in accordance with Rabbinical injunction, had to be repaired and blackened constantly. Hence the command to make continual use of tanners came about. They were especially careful with T'fillin for public use. (95)

With the making of leather came the extensive parchment industry for use of Sifre Torah and documents. From a responsum of R. Sherira, we have a complete account of the method of making parchment in those days. " And you ask how parchment

is prepared by us - and how long it is in the lime and how long it remains (there) in summer and in winter - and what amount of dogs' excrement - and what kind of wheat or barley flour - and what percentage of water - and how the gallnut is applied? The answer is - In this fashion do they produce parchment skins amongst us. They bring dry skins which are shedding their hair, and they are loosened in water until they fall away and are soft. After that, they put them in a lime vat prepared for them, and they put therein a small amount of water and a small amount of dogs' excrement without measuring, and a bit of salt - and they close the opening of the vat and let them remain (thus) in summer one day and in winter three days - but they do not let them remain there any longer so that they shall not become twisted. They take them out from there and examine them for any rents. If they are rent, they are sewed and stretched out on a wooden frame that is prepared. And a great deal of gallnut is brought and is well rubbed or ground, and they give to each skin $\frac{1}{3}$ of a litre - ie: a litre of Baghdad contains thirteen ounces - and they are coated with gallnut on two sides, and they sprinkle upon them water and one is more liberal with the gallnut on the hairy portions than on the fleshy parts. This is done to each skin twice daily and the third time they are coated with more gallnut and are placed in the sun in order that they become glossy and they are left till they are dried - and then they are shaken out and cut. Here end the words of the Gaon."(96)

In addition to the superior parchment of the above type, there was a poorer kind. This was made by cutting the skins and preparing both sides - and each side was used for different purposes, the outside portion being the better of the two. (97) In distant communities of North Africa, the art of preparing even the thin parchment did not exist. Such communities were forced to import parchment. For school and study purposes, a special thin type of parchment was utilized. (98)

~~Then, again, there were special writing sheets which were utilized for scrolls of the Law. These also had to be specially dressed and required the use of gallems. (99)~~ The sheets of holy books, or scrolls, often tore and required mending. The procedure was not to resew the entire length of the sheet but to leave some space above and below, and sew the central part only. (100)

5. Building Trades: To what extent Jews in Gaonic days were engaged in constructing their own homes and other buildings we cannot tell. It seems that most or all of the synagogues were constructed by the Jews themselves. There were occasional prohibitions against Jews' building or rebuilding their synagogues. And, since synagogues were often demolished by the military forces or the raiding troops, one may infer that the Jews were constantly rebuilding. In the work of rebuilding, it is likely that the entire community participated - although at times only the wealthy took part. The craftsmen, however, endeavored to beautify their places of worship. That the entire community was concerned with the rebuilding of their edifices, is indicated by a statement of Nataneel b Aaron, a banker, probably of Fustat. He wrote: " And now the Jews of Palestine are still busy (repairing) their synagogues." (101)

During periods when the Jews had influence with the caliph's court, there was greater activity in synagogue building. (102) When the construction of synagogues was prohibited, the Jews resorted to building them to resemble private homes. On other occasions, legal fictions were resorted to, to indicate the right of the new synagogues to exist. A legal document of 1066, in Cairo, charges the Rabbanite Jews with constructing a new synagogue on top of Harat Zuwailah. The authorities demanded demolition on the ground that the syna-

gogue plot did not belong to them. The Rabbanite Jews replied that Jews had had a synagogue there for forty years - which entitled them to absolute legal possession. In other cases, they even argued that synagogues had existed in pre-Mohammedan days. (103)

Many of the synagogues constructed were very beautiful. Benjamin, in describing the synagogues of Baghdad, narrates: " And in the city of Baghdad there are twenty-eight synagogues for the Jews between Baghdad and the city which is across the R. Tigris - for the river divides the country. The great synagogue of the Head of Captivity is an edifice having columns of marble of various colors, overlaid with silver and gold, and on these columns are sentences of Psalms in golden letters. And in front of the ark are about ten steps of marble, and on the topmost step are the seats of the Head of the Captivity and the Elder of the House of David." (104) Both the plates of gold and silver over the columns and the arabesque engraving of sentences on the columns were adaptations of Arabic art. R. Petachya's description of the synagogue over Ezekiel's tomb indicates that it, also was an edifice of rare beauty. (105)

Jacob Ha Cohen, who travelled in the early 12th century, wrote: " In Alexandria I saw a synagogue that had 365 pillars, and the middle pillar (was) 30 span in its thickness and four cubits in length. There were two Holy Arks, one above and one below, and above them a square figure composed of

animals, faces of men, faces of eagles, a face of a lion, and a face of a bull." (105a) It is a known fact that many beautiful synagogues taken by the Muslims were changed into mosques at a later date.

Sometimes the wealthy erected special chapels or gave special donations to the synagogue. In the Aleppo synagogue, Mar Ali ben Nathan b. Mebasser erected a special chapel in 834. (106) This synagogue had six pillars, and the chapels were built around the central hall. (107)

Not all synagogues, however, were magnificent edifices. From the structure of a synagogue (11th century) of the Karaites in Jerusalem, one gets some idea of the work of the ordinary Jewish builders. The hall of the synagogue was square, entirely undecorated. In the centre was a low, heavy pillar from which radiated arches. The arches followed the old Arabian style and were supported by raised cupolas. In the northeastern wall were several niches. The niche in which the desk of the Hazan was placed was curved and it widened as it rose. The Holy Ark was in a second niche. Little light permeated the hall. That which came in entered by means of three apertures. Windows were not permitted. In fact, even the apertures are of a later date. The pulpit was constructed of small square-hewn stones while the nearby wall was built of rough, untrimmed Arabian stones of poor workmanship. (108)

One responsum describes the construction of lattice

work -, a form much in vogue in craft work. ' Those that saw beams to make doors, tablets, boards, and incisions between the boards in order that the wind may enter and dry ' (109) Another responsum describes a special sandal used by the plasterers of the age: " The sandal of the plasterer is a tool that builders have, and is like an ordinary sandal. Some make it of iron and others make it of wood. At the time the house is plastered with pitch or lime, they go over it with it (the sandal) and straighten it out." (109)

Stone masons were employed, not only in building construction, but in the making of tombstones as well. R. Jacob Ha Cohen, in describing the tombs of Tiberias, wrote: " Upon every coffin is written - ' So and So the Son of So and So May his soul rest in eternal life.'" (110)

Obermanyer (pp. 244-6) renders a description of two Sura marble gravestones of Jews of the latter half of the 7th century (360 - Sel. = 663). The script is of the classic Arabic type. One reads:

"Hasan ibn Faslan

God have mercy upon him - be gracious unto him - let him lie with the righteous and the pious."

Amen Selah 380

The other reads:

" This is the grave - of Biser ibn Aly - of the S alabi lineage - God have mercy upon him - and hasten his quickening with the righteous."

CHAPTER IV

T R A D E & C O M M E R C E

A. THE ARABS IN TRADE AND COMMERCE

1. Important Centres and Markets: Long before the rise of Islam, the Arabs had been a commercial people - trading their wares at the city gates and in the market squares. Mohammed, himself, was originally a camel driver. After their expansion, business and trade was pursued just as eagerly - and they preserved at all times the commerce and industries of the nations they vanquished - for this served as a means of revenue. The summary statement of Heyd gives one an inkling of the role of commerce: " The Levant of Harun al Rashid was much richer and busier than the kingdom of Heraclitus and Justinian. The caliphs looked after and cherished both agriculture and commerce."

The money economy under the Umayyads and Abbasids, although there was some natural economy, stimulated and facilitated trade and commerce. (1) The vast extent of the Empire, from India to France, and the gradual spread of the Arabic language facilitated trade relations. In expanding their empire, it is evident that the Arabs gained control of the most important commercial countries in the East - Syria, Mesopotamia, Persia, and Egypt. They were heir to all the trade routes, both on land and sea, of the Byzantines and Persians - as well as the

ports of the Mediterranean. (2) ^{How many?} However, the Muslims were a vigorous race. They improved and extended the routes they inherited. They had extensive relations with China, India, Malabar, Ceylon, and even Korea and Japan. They explored and colonized the eastern coast of Africa to the equator. (3) The vitality of the Arabs resulted in the spreading of their commercial relations from the Pacific to the Atlantic.

Another stimulus to commercial expansion was the liberal attitude taken by Islam towards the merchant and the trader. Islamic law, in general, upheld any type of work - censuring only those who were a burden on the community. (4) The merchant filled a high and honorable and remunerative role in Islamic society. Furthermore, in all ancient societies through the Middle Ages, economic activities - and particularly trade - were carefully supervised by the state or religion. The supervision of the state was quite helpful, for it tended to promote higher standards which it deemed more righteous. (5) As a result of state interest and supervision, extensive public roads were constructed and maintained, bridges were built, caravan-series with wells nearby were established in the deserts and wilderness for the safety of merchants and pilgrims, and harbors were built and maintained for international trade. (6) After several centuries of control, the Arabic rulers - wisely or otherwise - put economics first and religion second.

The caliph, in addition to being a great landowner, was personally one of the greatest merchants in the kingdom. The products of his estates and industries, as well as his extensive purchases for the court, the military, the merchant marine, were abundant. The customs house became, not only one of the main sources of revenue, but was also the foreign office. Hence, it was controlled by the nobility or men of rank. (7) Lastly, the pilgrimage to Mecca resulted in the strengthening of the ties of commerce between the various Mohammedan countries and provinces. The pilgrimage or hajj resulted in the Arabs' being intimately acquainted with all roads, stations, and stages of the Muslim world. (8)

Whereas the west, during the Middle Ages, permitted each locality to develop its own civic and commercial law, Islam continued to enforce one law and one statute for all peoples. The fact that Islamic territories belonged previously to only two autocratic feudal systems aided the state in its policy. Local variations existed, but the market was invariably independent. (9) of the town population.

An excellent picture of an eastern market is given by Yakubi in a description of Karkh, a western part of Baghdad of the 9th and 10th centuries. " Here every merchant and each merchandise had an appointed street and there were rows of shops and booths and courts in each of these streets. But the men of one business were not mixed up with those of another, nor one merchandise with merchandise of another sort. Goods of a kind

were sold only with their kind and men of one trade were not to be found except with fellows of the same craft. Thus each market was kept apart and the merchants were divided according to the merchandise, each craftsman being separated from others not of his own class." (10)

Baghdad, the city of the Abbasids, with its population of a million was particularly favorably situated. It served as the meeting point for the caravans of Iran and the caravans of Mesopotamia, Syria, and Africa. Numerous canals connected it with the Euphrates system, and the navigability of the Tigris made it an emporium for the products of the Persian Gulf, and the Indian Ocean. (11) The names of markets listed in Le Strange's treatise is indeed imposing. (12) The clothing centres had markets for cottons, silks, tabby silks, curtains and veils, clothes and turbans. Other allied markets were those of the cobblers, reed weavers, needlemakers, and palm basket makers. Its food centres were markets for cooked meats, fish, fruits, dried fruits, raw meats and poultry. Allied trade marts were markets for oil, soap, perfume and pitch. Other noted markets were those of the book and paper sellers, slave and animal traders, the goldsmiths and money changers exchange, and the markets for Eastern Chinese goods. A city that had trade relations with the east and west, with India - China - East Indies - Armenia - Africa - Russia - Spain - and the Baltic naturally became the wealthiest city of the world.

In Le Strange's other treatise, at least fifteen other important trade centres are noted in the Babylonian-Persian lands of the caliphate. (13)

West of the eastern lands, lay Syria with its important bazaars at Damascus, Aleppo, Tripoli, and Antioch. Damascus, the seat of the Ummayyad, with its roofed bazaars (14) - retained its commercial importance despite the exactions of the Abbasid rulers. It was famed for its steel, cloth and dyes, and was the centre for outfits for all caravans from the Westland. Aleppo served as the centre for trade between Islam and Byzantium. The cities of western Syria - namely Antioch and Tripoli - which were less Islamic than those of the interior, served as points of contact with the western world. (15a) The cities of Palestine - namely Jerusalem, Jericho, Tiberias, Haifa, and Tyre - were primarily trade centres for agricultural produce such as figs, raisins, olives, dairy products, sugar, and also for fine woven cloths of mixed silk and cotton. Tyre had considerable oversea trade in cloths, glassware and ceramics while Haifa was known for its sea going industry. (15)

The markets of Egypt were Alexandria and Cairo. All trade in agricultural products was under state control, altho it was not entirely a state monopoly. Grain was sold by the government as well as by private speculation. The state often competed with private enterprise. In the early days of Muslim conquest, Alexandria declined in importance. Later it devel-

oped an extensive trade with the Upper Nile, the East Coast and the interior of Africa. The mart of Alexandria is described by Benjamin in all its glory. Forty-one Christian kingdoms and eleven Arabic and Eastern nations are enumerated as trafficking in that city. Every nation is described as having an inn of its own for its travelling merchants. The staples sold there were corn, flax and cotton - all of which were exported to Mecca and to Europe.

Cairo competed with Baghdad in splendor and wealth. It was one of the central meeting places of caravans going both east and west. All the shops in Cairo, which numbered 20,000, rented for from two to ten dinars. Mukadassi, in 985, was impressed by the city. "The main centre of business activity was around the mosque of Amr..... Though the most populous, living is cheap as the necessaries are being constantly imported from all parts of the world." Nasir i Khusrau, in 1046, speaks of the rare and costly wares sold there and of the profusion of fruits and vegetables. (96)

The markets of Ifrikiya were Kairowan, Tunis, Tlem-sen, and Fez. Under the Berbers, who received their investiture from Cairo, Ifrikiya prospered in agriculture, in industries, and in trade with the outside world. Kairowan was famed for its bazaars and caravan-series. The shops of the city, extending for about two miles, stood on both sides of a covered street. Tunis and Kairowan extended their commerce to the Sou-

dan and the interior of Africa. Towards the close of the Gaonate, the mart of Fez began to eclipse those of all the cities of the northern coast. Its factories produced leather, linen, soap, essences, hardware, and bronze goods. Its trade extended as far as the R. Niger. (17) The important Spanish markets such as Valencia, Toledo, Cordova, and Seville need not be dilated upon.

2. Land Routes: Islam inherited the overland routes of ancient empires. The 'Ship of the Desert' - the camel - was the common mode of travel. It was a means of uniting the empire itself and of spreading Arabic goods in foreign lands. A picture of the international merchant at the height of Caliphate days can be obtained from Sadi's 'Gulistan': "O Sadi I have one more journey in view." "What journey is that?" He replied: "I will carry the sulphur of Persia to China where I have heard it will fetch a high price. Thence I will take China porcelain to Greece, the brocade of Venice or Greece I will carry to India, and Indian steel I will bring to Aleppo. The glassware of Aleppo I will take to Yamin and with the bardi-mini or striped stuffs of Yamin I will return to Persia. After that I will give up foreign commerce and settle myself in a warehouse." (18)

The land routes, though many and ramified, can be divided into five groups:

- a. The cross roads of the Eastern Empire at Baghdad.
- b. The road to India and China.
- c. The road to Mecca.
- d. The roads of North Africa.
- e. The roads to the northern countries of Eurasia.

The Cross Roads of the Eastern Empire: With the founding of the Abbasid Dynasty, all roads of the Persian Empire naturally radiated from Baghdad. From the famous Khorasan road which went eastward, crossroads branched off connecting all of the eastern provinces with Baghdad. Another road lead from Baghdad to Basra, and from there to Shiraz - in Fars - which was itself the center of many roads. From Baghdad and Basra there were two pilgrim roads which lead to Mecca. Another important road from Baghdad lead to Rakkah and Balis, important centres on the Euphrates. From there the road continued across the Syrian desert to Damascus. Finally, there was the road from Baghdad to Mosul, a city which adjoined the Greek towns and was a flourishing mart for the exchange of eastern and western products. (19)

The Road to India and China: One of the noted routes of the empire was the famed Khorasan road which lead to India and China. The land route, however, was not as important as the sea route for the East Indies trade. The difficulty of travel through the mountains of Afghanistan made the sea route

preferable. In the plateau region, Kaboul, Gazna, and Balkh were the points of trans-shipment. These centres were also the means of bringing the spices of the east to Central Asia. Prior to the introduction of the manufacture of silk and sugar in Islam, the caravan route was an important international highway. Its importance gradually diminished.

The Roads to Mecca: From all Islamic centres - especially Baghdad and Damascus - arteries of commerce lead to the shrine at Mecca. The stimulus to commerce, as a result of these pilgrimages, has been indicated. It was customary for all pilgrims from the north to meet at Damascus. The route, in general, followed the Hadjaz railroad of today. After having visited Mecca, many pilgrims en route visited the sacred cities of Jerusalem and Hebron. An annual fair held in Jerusalem on September 15th was attended by merchants of all lands. All of Syria profited immensely as a result of its trade with Mecca and South Arabia. Syria sent all types of textiles while Arabia forwarded leather goods, dates, precious metals, and spices. The profits of this trade were from 50 to 100%. (20)

The Roads of North Africa: The great trade highways of North Africa were two - the eastern and the western. The eastern route led from Egypt to Assuan where an exchange of grain was made for gold and slaves. The transaction, north of the second cataract, was in gold - but beyond that, it was accomplished by barter. Nubia was known for its export of

slaves. The gold of Sudan was exchanged for corn, textiles, corals, and manufactured articles.

The western route led from Ifrikiya to the R. Niger. The journey from Tripoli and Kairowan, in the 9th century, to Lake Chad and Songhay, on the bend of the Niger, took nine months. In the 10th century, another route was opened through the Sahara - from Magreb through Ansoghart. There were thus three great highways of western North Africa connecting thereby central Africa with the Mediterranean. Islam received from Central Africa - slaves, gold dust, gems, skins, ivory, natron, and ostrich feathers in return for textiles, spices, salt, sugar, dates, and corals.

The Roads to the Northern Countries of Eurasia: Islam's possession of the southern half of Caspian to the Sea of Aral led to active commerce with the neighboring marts of Samarkand, Bokhara, and Rai (Rhagae). The Arabs treated all northern neighbors very kindly. When they left their northern boundaries, it was as traders and not as conquerors. At Trebizond, the frontier of the Greeks, the Muslim and Armenian brought their merchandise. Many of the products of the Caspian region found their way to the Black Sea area by water, via the Isthmus of Caucasia, or by land leaving the Caucasus after leaving Derbent, the important port of the Caspian. The Kingdom of the Khazars and Bulgars accepted favorably the Arab merchants and permitted them to trade regularly with all regions north of the Caspian Sea. Khazaria also served as a means of exchange of goods with

Byzantium. It is difficult to tell how far up the Volga the Arab merchants went. Itil, on the upper part of the river, was a natural stopping place for all caravans. Arabic coins from the 7th to the 9th centuries have been discovered in the southern section of the Dnieper, on all the banks of the Volga, and in many areas from Crimea to Finland. The Baltic Provinces and Norway were found to possess an abundant supply of Arabic coins. It is established that all the coins came from the eastern provinces of Islam. Yet, it is improbable that the Arabic merchants travelled so far. It is evident, however, that the peoples of the northern regions sold more to the Arabs than they purchased. Al Maqdisi states that Islamic merchants purchased sables, miniver, ermines, pelts of foxes, beavers and spotted hares, goats, wax, arrows, birch bark, high fur caps, fish glue and teeth, castoreum, amber, horsehides, honey, hazel nuts, falcons, swords, armour, maplewood, slaves and cattle. (20)

The role of the Jews in controlling that commerce is unknown (see Radanites). The Scandnavians who had but recently established themselves in Russia also used the Volga as a means of commerce. The decline of Muslim influence in the northern lands was caused by the decline of Khazaria, the conversion of Mohammedan Bulgars who were also intermediaries, and the internal difficulties of Russia itself. (21)

3. Sea Routes: The Arabs, though originally a land trafficking nation, actually preferred ocean travel with its dangers to the hardships of the desert and the mountainous plateaus. The Saracen fleets were constructed of timber grown on mountains east of the Mediterranean Sea. The boats were frail, but the daring of the Arab mariners was unusual. The Arab fleets ruled from the China seas to the Atlantic Ocean - from the Mediterranean and Caspian seas, through the Red Sea and Indian Ocean, to Madagascar. The sea routes of the Arabs can be listed under four categories of commerce:

- a. The Mesopotamian River Valleys & Persian Gulf trade.
- b. The trade with India and China.
- c. The Red Sea commerce.
- d. The Mediterranean commerce.

The Mesopotamian River Valleys & Persian Gulf Trade:

The centre of Islam being in the ancient river highways, it was natural for these two river highways to maintain their prominence throughout Islamic days. The rivers and the canal system permitted light tonnage to come from the Indian Ocean and the Persian Gulf to the heart of Baghdad. Goods went from there to the Euphrates by canals, and up the river to be transferred to the Syrian caravan trade. The port of Baghdad - Basra - connected Islam with the very heart of the Indian trade. The merchants of Baghdad thus obtained the silks of China, the spices and aromatics of India, various types of wood and nuts and tin. Baghdad was the real centre of all Indian trade until

its decline when the Indian market was transferred to the Nile Valley. The other ports on the Persian Gulf - Siraf, Al Katif, Al Uballa, and Maskat - served as bases for Indian Ocean traffic. Benjamin's reference to the Isle of Kish in the Persian Gulf bears testimony to the fact that the Persian Gulf was the meeting ground between the merchants of India and the islands with the merchants of Persia. (22) The river highways also had extensive trade relations with the east and south coasts of Arabia.

The Trade with India and China: The Arabs had extensive trade relations with the peoples of India. The Indian kings of the 9th and 10th centuries were well disposed towards the Arabs and gave the Arab colonists autonomous rule. In the 10th century the conquests of the Arabs in the northeast area of India made the goods of the interior more accessible to the Arab world. There were two sea routes to India. From the Persian Gulf ports of Siraf and Hurmuz, the Arabic boats travelled to Daybal (Dibal) at the mouth of the Indus. Most vessels going and returning from India or China stopped there. From Daybal the Arabic vessels continued their journeys to Supera and Cambay. The second route to India was from the ports of Oman directly to Calicut and other ports of the Malabar coast. From there the vessels continued to Ceylon, to the Bay of Bengal, and the Malayan archipelago. A whole string of Arab merchant colonists were established in the Andaman Islands, Singapore, Borneo, Java, Sumatra, and China.

The relations with China go back to the early days of Arabic expansion. While the Arabs were going from the Persian Gulf ports to the Malabar Coast, the Bay of Bengal, and Straits of Malacca to Canton - the Chinese under the Tung Dynasty also took to extensive navigation. In the very first century of Arabic rule, Arabic and Chinese vessels constantly crisscrossed each other from the Chinese seas to the Persian Gulf. Canton, as the central mart, was replaced by Chan-fou (modern Hang Chow Fu). The Arab merchant colonists in China also had autonomous rule and were permitted to penetrate and trade in the interior. An insurrection of 878 in the north-east resulted in the Arabic colonists moving their headquarters to Kalah in the peninsula of Malacca. Kalah became the intermediary station for Arabic and Chinese merchants. All the products of Indo China could be found there.

Yemen, Hedjaz, Ethiopia, and Egypt also had trade relations with India and China. For the teakwood of the east sent to Arabia and Egypt for shipbuilding, these countries forwarded to the Orient their manufactured articles. The Cape of Good Hope route being unknown, Egypt with its Red Sea trade served as intermediary, exchanging the goods of the Mediterranean for the goods of the Orient.

Red Sea Commerce: In the early days of Arabic expansion, the Arabs decided to bring the merchandise of the Mediterranean to the Red Sea without trans-shipment. For that purpose the ancient canal which ran from the Nile to Clisma on the Red

Sea was opened. This was a great help to the ports of Arabia and to the Arabic merchants. That canal gradually began to fill up. When Medina revolted in 761, in order to reduce the inhabitants to starvation, the canal ^{was} closed once again.

The Red Sea trade connected not only the Mediterranean with Arabian waters but also with the Persian Gulf, the Indian and China seas, and the east coast of Africa. In general, the harbors of the Upper Red Sea were not very reliable. The boats sailed along the coast, anchoring at night in the shelter of the canal reefs. Once they left the Straits of Bab-el-Mandeb the merchant vessels had to be on the lookout for the pirates who were harbored in the Isle of Soqotora. By the 10th century, the eastern coast of Africa near Madagascar had been reached.

Some of the Red Sea trade went through the port of Berenice on the western coast of the Red Sea. The merchandise was then sent by caravans to the Upper Nile to be reloaded on barges and freighted down the river. Another route was the one which omitted Egypt altogether. It went across the Isthmus of Suez to Faramish (Pelasium) on the Mediterranean. This Mediterranean, Red Sea, and Indian Ocean traffic was largely in the hands of Jews who acted as intermediaries between the Crescent and the Cross.

Mediterranean Commerce: In antiquity, the Mediterranean bound Europe, Asia, and Africa together. After the Arabic conquest, it served to keep Mohammedan and Christian worlds apart. Trade in the Mediterranean was restricted to Mohammedan ports. No relations with the Christian world were adopted - with the mutual consent of Arab and Christian. The demands of living, however, necessitated the use of each others goods. Here entered the role of the Jews as intermediaries between the Crescent and the Cross.

As the spirit of intolerance broke down, a certain amount of diplomatic and commercial relations developed. This did not in any way interfere with the reign of the Arab pirates who preyed upon the coasts of Greece, Italy, and France. Diplomatic and commercial relations existed between Haroun el Rashid and Charlemagne. As early as 723, Willebald reported an Egyptian ship at Naples. In the 9th century Egypt and Syria had commercial relations with the Italian city states of Salerno, Amalfi, and Naples. Alexandrian textiles found their way into Italy in this period through the activity of Venice. Genoa made a treaty of commerce with Egypt in the 10th century. The raw materials and slaves of Europe were exchanged for the manufactured articles of Islam and the Orient by the representatives of the Italian dukes and doges. The ports of the Mediterranean were Alexandria, Barqia, and the Syrian coast ports. Mehdia was the port of Kairowan. Tunis, Cadiz, Malaga, Almeria were some of the important Muslim harbors in the exchange of goods of

Spain and North Africa. As a rule, until the close of the Gaonate, the Arabs did not deal directly with Europe. This gave the Jews a particularly favorable position - serving as (23) the standard bearers of Muslim culture to the Christian world.

B. THE JEWS IN TRADE AND COMMERCE

1. Role and Wealth of the Jews in Commerce: Jews participated in the commercial life of Talmudic days, as is evidenced by the numerous Talmudic commercial terms. (24) In the Gaonic Age the role of the Jews in commerce greatly increased and widened. Towards the end of the Gaonate, the majority of Jews turned to commerce and industry rather than agriculture as means of economic life. The reasons for this natural change and expansion were as follows:

a. The reasons already given for the rapid expansion of Arabic commerce resulted in a concomitant growth in commerce on the part of the Jewish populace. The energy and mobility of the Jews in this extensive empire with its trade possibilities resulted in their entering all phases of maritime and overland trade.

b. In the early days of Islam, the Mohammedan conquerors preferred to be overlords and knights rather than itinerant merchantmen. The lack of Mohammedan competition gave the Jews an early start. The early liberal attitude on the part of the caliph towards commerce increased the ranks of the Jewish merchantmen. There were few custom barriers and the merchants were protected by the state.

c. Their mere existence in all the large commercial centres such as Baghdad, Basra, Fustat, Kairowan, Tlemsen etc.

resulted in the Jews' turning to commerce as a form of economic endeavor. Where there was an unbroken chain of Jewish communities, it was natural for Jews to turn to this form of livelihood. Many a family had relatives in other cities who entered upon the same enterprise. In fact, every Jew looked upon a Jew in a neighboring city as his brother. The merchant thus travelling, on land or on sea, was always among friends. The Jewish merchants readily transmitted information about markets, commercial possibilities etc. The autonomous Jewish local rule, through its Bet Din, offered every merchant a means of protection, help and relief. The fact that the same Talmudic Gaonic law prevailed in all lands was another boon to the commercial expansion of the Jews. (25)

d. Both in the Muslim and Christian worlds, the Jews were known for their cultural achievements. The vast majority of Jews could read and write Hebrew or Arabic and other languages. The majority of the non Jewish populace, on the other hand, did not possess these accomplishments. The linguistic abilities of the Jews enabled them to act as political and commercial ambassadors to the countries of Christendom and the Orient.

e. Also the burdensome agricultural taxes and the continual raids on the agriculturist by marauding troops from the tenth century on ~~caused~~ caused many to seek easier means of income. In Persia, North Africa, and elsewhere, the Jews flocked to the large cities where they engaged in commerce and industry. (26)

f. Lastly, the flow of economic goods between the Muslim world and Christendom could not stop because of religious differences. True, no Arab merchant was permitted to tread Christian soil till the 11th century. Also, the early intermediaries, the Syrians, were suppressed as they go between the East and the West. However, from the 7th through the 11th centuries, the Jews who were tolerated in both empires became the natural intermediaries between the Orient and the Occident. The Jews in western Europe who were responsible for organizing the markets there had direct trade relations with their fellow Jews in Spain, North Africa, and Palestine. The high water mark of their service as intermediaries was in the 8th and 9th centuries (see further Radanites). In the middle of the 10th century, the development of Mohammedan sea power and the growth of the Italian city states diminished their role as the great intermediaries. Cunningham stated the situation accurately in these terms:

" They (the Jews) were better able than Mohammedans to trade in Christian lands and better able than Christians to carry on business among the Mohammedans. Though they may have been the most wealthy merchants of the time they had rivals in Christian merchants." (28)

An examination of the various Islamic countries will indicate that the Jews in all Islam were engaged in commerce. Even in holy Arabia, the expulsion of dhimmies was never completely carried out. The aim of expulsion interfered with economic interests. Hence, the powerful Jewish merchants remained in

Kurh and W adi-al Kura, which was a six day march northwards from Medina. These Jews had extensive relations with the important community of Kufa on the Euphrates. (30) At al Katif, on the Persian Gulf, Benjamin reported that there were 5,000 Jews. The number may be exaggerated but the Jews there were certainly engaged in trade and commerce.

Baghdad which, according to Benjamin, had 40,000 families, must have had a great number of Jewish tradesmen and businessmen of wealth. Benjamin also reports that the Resh Galuta obtained weekly revenues from Jewish merchants and markets of the land. (31) Even one of the Geonim of Pumbeditha who followed R. Hai Gaon was of the merchant class. (31a) The 'Karkh' (כרך) of Baghdad was the centre of commercial life. Along the Kharkhaya Canal near the highest of the bridges was the Jewish section. Ibn Serapion, towards the end of the 8th century, called this bridge 'Kantarrah al Yahud'. It is, therefore, logical that the Jews who lived in the midst of this commercial market turned to trade. (32)

A typical instance indicating the widespread relationships of a Baghdad merchant is indicated by a tale of R. Nahum al Hazan al Bardani who resided in a suburb of Baghdad - Bardan. The fragment available indicates that he travelled to Magreb, and that he had agents in various countries such as Egypt and Palestine. The Jewish court of Baghdad had right of redress on claims in the nearby countries of Egypt and Palestine. Hence, the

Jewish merchant had right of redress through the Jewish Bet Din of Baghdad who could demand that the Bet Din of Egypt take action. R. Nahum (c998), in his travels west, purchased antimony powder which was a precious eye salve and also some Hebrew books, among them a set of Talmud. These he sent to Egypt where his representative, Hillel b Isaac, was requested to sell the powder and take the books to Jerusalem. Later R. Nahum assigned to his son, Jannai, the amount his representative owed him. After both R. Nahum and Jannai died, the heirs, Joseph and Nahum, claimed from Hill b Isaac who lived now in Ramleh the amount due their father. Their representative in Palestine was Masliah b Elijah, the Sicilian. The plaintiffs, living in Babylon, had a document drawn up by the supreme court of the academy of Baghdad. The document was forwarded to Egypt for further proceedings against Hillel b Isaac who refused to repay the sum he owed Nahum and his heirs. (33)

Another fragment is available indicating the relationships of the Jews of Khurasan, & of Baghdad, and also the Greek Jews with the Khazar kingdom. (33a)

It is also reported that the majority of the merchants of Tustar were Jews. (34) Mosul, identified in medieval sources as the Biblical city of Asshur, was a flourishing commercial junction between the East and West and doubtlessly attracted many Jewish residents who engaged in trade. (35) In the commercial cities of Wasit and Basra the Jews grew with the commercial activities of those centres. (36) Al Jehudiyah, the

'Judenstadt' of the Persian province of Isfahan, with its open and covered bazars, was the commercial centre of the province. Nasir i Khusrav described it (c 1088) as the largest city of all Persia containing 50 caravanseries and 200 bankers. The Jewish merchants of al Jehndiyah were the main competitors of the Arabic and Persian merchants in the east. (37)

Jews were found in the distant areas of Kashmir to which only a few foreign merchants had access. (38) Jewish merchants travelled to distant China, according not only to Ibn Khordadbeh's report of the Badakhites but also to Abu Zayd's description of the sack of Khanbou. The Jews there were probably engaged, together with the others, in the silk and spice trades. "An officer of rank revolted in the year of the Hejira - 264 (c.e. 877-8), got together a multitude of vagabonds and abandoned people..... and took Khanbou, after a long siege. He put the inhabitants to the sword, and besides Chinese there perished in the massacre 120,000 Muslims, Jews, Christians, and Parsees." (39)

From Benjamin's description of the mart of Alexandria, we can safely assume that many wealthy Jews there were engaged in commerce. The other great trade centres in Egypt was Fustat. Judeo Arabic documents brought before the Bat Din of Fustat prior to 1075 is definite indication of the widespread relation of the Jewish merchants of Cairo with nearby and distant centres such as Acco, Morocco, Spain and Sicily. (40) A document of Nathan's court in Palestine (1040) indicates the existence of trade rela-

tions between Jews of Egypt, North Africa, and Sicily.

At times scholars invested their money in commercial enterprises in order to permit them to continue their studies. Nathan, the merchant scholar of Fustat, who went to Damietta and later bore the title of 'Head of the Academy', writes, in 1035: " We hoped to see quiet and peace (and the opportunity) to rest from the weariness of business, from travels through waste places, and from sailing the seas. And perhaps, as a result of this occupation, we might have some profit and we might have an opportunity to study Torah. However, the wheel of fortune turned and we became poverty stricken to the last penny." (41)

The learned Jewish community of Tahert was also a commercial city of some importance. One responsum speaks of a partnership of two people - one in Tahert and the other in Kairowan.

Members of the Tahert community took occasion to commission the Kairowan members to do business for them also. (42) The wealthy merchant families had relatives in various countries. From a Genizah fragment of Wed. 20th of Ellul, 4792 (Aug. 30, 1032) one obtains the history of the al Kabasi family. One member of this family was in Sicily, one in Alexandria, and others in Kairowan and Tripoli. The family also had connections with Marseilles. (43)

The relationship of the Jewish merchants with Indian trade is indicated by an undated commercial letter sent to Joseph ben Amram, of Aden, to Joseph ibn Senago, in Egypt. The writer

(44)
mentions that he came from Tabul to Aden on his way to Calcutta.

Another available fragment tells of a Fustat Jewish family that had extensive relations with Aden, India, and Ceylon. (44a) Relatives of the family settled permanently in Aden and at other points in order to extend the commercial activities of the family to various ports and also in the interior.

The Jews of Egypt had relations with the Jews of Palestine and Syria. Benjamin speaks of the Jewish community of Damascus as consisting of 3,000 families. Among them were scholars and men of wealth. The importance of Damascus as a trade centre led its wealthy men to enter that field. (45) Mann reports that the part the Jews played in Levantine trade must have been considerable as evidenced by the responsa. (46)

The responsa also prove beyond a doubt that the Jews in the north African ports were extensively engaged in inland and maritime commerce. (46) It is furthermore established that the Jews of Spain became exceedingly wealthy because of their active commerce in slaves, silk and honey. The Spanish slave trade was carried on with Slavic lands with the help of their German co-religionists who supplied both Spain and the Caliphate with the necessary slave labor and body guards. (47)

Through commerce and banking, many Jews became immensely wealthy. The wealth of the Resh Galuta and the Negidim of Egypt has been indicated. An outstanding figure of wealth was the noted Ibn Killis who was vizier in 968 and who left an immense fortune. (48) Another noted man of wealth was Abu Saad -

according to the report of Nasir i Khusrav (1046-8). (49)

As mentioned previously, the high water mark in international commerce was reached by the Jews in the middle of the 8th century. Both Christianity and Islam needed the Jews to serve as intermediaries in carrying goods from the Orient to the Occident and vice versa. Ibn Khordadbeh, in the 'Book of Ways and Kingdoms' (c 817), relates the story of the famed Radanites who travelled in all parts of the known universe. An early suggestion was that these Radanites came from the Rhone lands (50) or from Spain, and were responsible for the growth of Carolingian commerce. J. Jacobs' supposition is that they came from Rhaga, a town near Teheran, which in the 8th century was the commercial centre of Persia. The routes of the Radanites ended in China. This string of Jewish communities at Bokhara, Khoteu, Samarkand, Kiz, Oranmore, and Zayton with their knowledge of Arabic, Persian, Greek, Latin, French, Spanish, Slavic and Hebrew doubtlessly aided the Radanites in their commercial ventures. Heyd has indicated that the geographic knowledge required was not had by any Christian country at that time and could be obtained only in the Arabic world. Heyd and Mann's accurate analyses of the four routes outlined is worthy of summation: (51) (52)

Route I: From France to Egypt by boat. At Parana the goods were loaded on animals. The Isthmus of Suez to Kufra was crossed in five days. Merchandise was reloaded on boats which travelled along the Red Sea, stopping at al Jaz, the

port of Medina, and al Jedda, the port of Mecca. From there they sailed on to Sind, India and China.

Route II: From various points of the Mediterranean to the mouth of the Orontes. From there through Antioch and Aleppo, down the Euphrates to Baghdad, down the Tigris to al Obolla on the Persian Gulf, and thence to Oman, Sind, Hind and China.

Route III: Followed the same routes in returning from the coasts of India and China. Some returned to France; others travelled to Constantinople to dispose of their goods at that port. If they followed the overland route from Spain or France, they passed the Straits of Gibraltar. Across the straits, they travelled along the North African coast, to Fustat, thro Palestine and Syria, to Baghdad and Basra, thru the southern provinces of Persia and then on to India and China.

Route IV: Thru Germany and the Slav lands to Itil, the capital of Khazars. Across the Caspian, the overland route to Balkh on the Oxus, thru Transoxania and Toghuzghuz to China. (52)

From the west, the 'migratory birds' transported " eunuchs, female slaves, boys, brocades, castor, martin and other furs, and swords..... On their return from China, they carried back aloes, camphor, cinnamon, and other products of the eastern countries." (53)

2. Jews in Caravan Trade: The responsa do not give a complete and detailed picture of overland caravan trade, but sufficient material is available to give one a notion of its character and the dangers encountered. People travelling as merchants or messengers carried either documents or seals which ensured them safe passage. R. Petachya reports that " Rabbi Samuel, the Head of the Academy, gave Rabbi Petachya a document with his seal directing that he have safe conduct wheresoever he should go.." (54) The seal of the academy was respected. A responsum of R. Sherira's (968) reports: " It was customary to

give a clay seal to travellers as an indication that they were travelling with the permission of the state. Whoever failed to have a seal was detained by the officers of the road from continuing the journey." (55)

For overland travel, the ship of the desert was utilized; for short or steep journeys, the donkey was the beast of burden. One fragment reports as to the method of loading: " It is a universal custom for the loaded ass to be directed from the rear, and for the camel to be lead in front; and if a man has both a camel and an ass with him, he should endeavor to stand in the middle so that the ass will be in front of him and the camel

behind him." (56) Merchandise and money were transported from one country to another on saddles. It was also the custom of merchants, upon arriving at their destinations, to report at once any mishap. A responsum of R. Jehudah, the Head of the Academy, states: " R. (S = 760 or P = 906) transmitted to S. gold coins to transport them with him by caravan to give them to L..... He took them and departed. When he arrived at L's place, he (the latter) demanded of him the gold pieces and he (S) argued and said his saddle bags tore on the journey and he does not know how they were torn nor where..... and though upon entering L's place, the merchants asked him what happened on the road and he said, 'We have arrived in peace and safety'....." (57)

Representatives of courts or academies also joined the overland caravans despite the length of the trip and the dangers that might be encountered. A typical instance is the journey of Samuel ben Abraham, who came from Tahort in Magreb. He travelled (c 1000) from there to Fustat b. the overland route, carrying 25 dinars to Joseph b Jacob b Abul of Fustat who was a well known representative of the Babylonian schools under R. Hai Gaon. The communication further reports that he had passed Kabes in Ifrikiya and had transferred the legal questions with which he was entrusted to the non Jew of the caravan, as he left the caravan on account of the Sabbath, intending to meet it subsequently. (58)

The long caravan routes lasting for months and years created great hardships for the women at home. The dangers on the road frequently resulted in the disability or disappearance of

husbands. The Bet Din took cognizance of this situation by insisting that merchants take risky and arduous journeys only with the consent of their wives. The wife was also permitted to have a conditional divorce.

The hardships of caravan travel have not been exaggerated. In the travels of a Rabbi, perhaps Saadya, who went from Baghdad through Arbela, Mosul, Misibis, Aleppo to Jerusalem, he met an Arab caravan from which he learned all that had happened to them: " They told him that many people died on the journey because of the numerous snows and the intensity of the cold it was winter." (60)

Many responsa are available in reference to religious regulations during the journeys by caravan. The eating of Gentile food, the keeping of the Sabbath, the baking of unleavened bread, and the continuing of the journey on the second day of the holiday - are some of the questions propounded. (62) The last question may be taken as an example from a responsum of R. Paltoi Gaon: " And you enquired, he who goes on a journey and a holiday occurs and he is in the desert and the caravan continues on its journey - is he permitted to continue the journey or not? This is our opinion: if there is any danger there on the Sabbath, whether it be that of wild beasts or cold or heat or brigands or something similar, he has permission to continue his march in order that no harm befall him. However, at first, when he is in the city or settlement he has to calculate where he will rest on the Sabbaths and holidays.

And if he calculated, and something new occurred to him on the journey, he is excused and he may continue his march because of the danger. There is nothing amiss in this procedure." (62)

All overland traffic was subject to the waylaying by numerous robbers and brigands. Merchant wares were taken, and the merchants were killed or held for ransom. Responsa are available indicating that the North African trade routes and the routes through Palestine and Syria were subject to attacks of brigands. The journey from Spain or Magreb to Egypt and the countries east were particularly arduous, as noted in a responsum of R. Sherira: "He who travels on the road like the Arabs who are accustomed to come (to Egypt) in caravans and the journey is very long and most of their stopping places are in the desert...." (61)

Reports were made of Jews from Tlemsen, as well as Jews on their way to Egypt, who were captured and brought to Spain to be redeemed by their co-religionists. Added to that, the Jewish travelling merchants were subject to a great deal of trickery on the part of the authorities of towns and municipalities en route. Such conditions made it necessary that the Jews become versatile in getting out of all emergencies. (64)

The responsum recorded by Ginzberg is of particular interest for

its manifold details of the dangers of overland traffic: "F... went to Egypt. S sent (with him) 15(gold pieces) to purchase merchandise. He arrived at the place, the name of which was Magreb, and on their return to Egypt robber brigands crossed their path. When they reached Egypt, he wrote to his partner all that occurred to him and thus he wrote: 'When I reached Magreb, I made profit on all the loaded merchandise that was with me, from the Arabs, and all the gold that I had, I sent with N, the Gentle, because of the dangers of the road. And nothing was left to me except the 15 gold pieces of S.... I was afraid to send them with the Gentle, without S's consent. And brigands came upon us and they seized the entire caravan and they stripped all that I had on me. And when I saw this I thought, 'ell that I have cannot escape their hands. It were better that I tell them that I have with me gold pieces and they will let me alone'. I said to them, "I have in a chest 15 gold pieces." And they came with me to the place of the caravan, I opened the chest and I took out the 15 gold pieces of S.... and I was saved thereby. An here I pay to S.... half of the money for the friendship that exists betweenme and him.' And S argued: 'He saved himself by my money. Let him pay the entire amount to me.' What is the judgment in this case?"

(65)

Incidentally, the Gaon adopted the viewpoint of the agent that he should not take good the money, since the amount would have fallen in any case into the hands of the robbers. The Gaon demanded of the agent, either witnesses or an assevation by oath to support his story. (65a)

One responsum of R. Hai Gaon has reference to trading with pilgrim caravans, presumably on the way to Mecca:

" And our master R. Hai said, 'As regards pilgrim caravans that come on half holidays there is profit in what one sells to them. And if one refrains one loses and there is a loss of profit and in a similar fashion in reference to what they sell; if one does not purchase from them.....' The Gaon's answer is to permit them to purchase and sell to pilgrim caravans on the half holidays. (66)

3. Jews in Maritime Trade: The religious and civil questions sent to the Geonim prove conclusively that Jews played a distinct role in maritime traffic. Maritime trade of the day can be divided into two categories - sea trade and river trade. The available records indicate that Jews participated in both types. Jewish settlements, being situated in the Tigris-Euphrates section and along the Nile, it was but natural for the Jews to engage in river traffic as the responsum of R. Hai Gaon indicates: " That which the rabbis said - one does not go to sea in a boat less than three days before the Sabbath (Sabbath 19a). What is the attitude in reference to introducing this custom on the large rivers like the Tigris, the Euphrates, and the Nile of Egypt? Should a man enter the boat three days before the Sabbath and remain on it during the Sabbath while the boat is sailing? Or can't there be any comparison between sea going vessels and river-craft? For at sea, the boat travels far away from the shore and one can't disembark whenever one wishes, and on the river

the boat sails close to the shore, and whenever one wishes one can disembark - or is there another reason? The Egyptians (probably the Egyptian Jews of Fustat) and the village populace were accustomed to lay a heavy ban on their Nile and the people hurried to disembark from the boats on the eve of Sabbath until a rabbi among them came along and permitted them (to remain). Until now some of them practiced this prohibition. What is the correct procedure? We have never heard from our forefathers nor from the sages of the two academies who (it was that) gave permission to remain on river crafts, neither on the Tigris nor on the Euphrates nor on their Nile - and they (the Rabbis) were accustomed to lay a ban in this matter. And whoever came and permitted this practice in Egypt did not act wisely, for even if it was permitted, he opened the way to a great deal of corruption." (67)

The role of the Jews in sea trade has been partially illustrated in the sea trips of the Radanites. Nother Balbulus, in his history of Charlemagne, speaks about the Jewish merchantmen in the Mediterranean. (68) Benjamin also refers to the Jewish population of Tyre that owned sea going vessels. They probably exported the famous Tyrian ware and the sugar that was abundant in that region. (69)

It is evident from the numerous maritime responsa accredited to R. Jehudai Gaon, in reference to embarking and disembarking on the Sabbath, (760) that the Jews of his day were engaged in maritime trade. (70) The answer of the Gaon to the above question is interesting (a) for it indicates the practice of

bringing Jewish food to the merchants on vessels. The people boarded the boats either by means of a ladder or a plank. In another responsum, reference is made to boats being tied one to another forming landing bridges which were used for going ashore at the river or sea ports. (71)

From the question in reference to preparing for the Passover while travelling at sea, we learn that on some boats no fires were lit probably because of the danger of burning or the fear of enemies. (71a)

Maritime trade, as well as overland commerce, necessitated many hardships and difficulties. The dangers of sea trade and the long absences were particularly severe on the women at home. The merchants were accustomed to leave means sufficient for daily support during their absence; but sometimes the overseas merchants failed to return at the anticipated time and their wives found themselves in grave difficulties. (72)

Partnerships, where one member stayed at home and the other travelled abroad, were usual. The one who was better acquainted with the routes, who was more adventurous, and who was better capable of getting out of difficulties and dangers was doubtlessly the one to travel in foreign ports.

Occasionally partners lived at a distance of two months journey from each other. (72a-a) Shipments of goods from one to the other by sea is often recorded. (b) The response also indicate brisk traffic between Jews of North African ports and the Spanish coast towns. (c) The extensive connections of a family no doubt engaged in

maritime trade were noted in the story of a family from Kabes whose members were widespread. They lived in the ports of Sicily, in Kairowan, in Tripoli, Alexandria, Fustat, and Acco. (d)

The troubles of a foreign merchant are fully described in a responsum accredited to R. Zemah ben Paltoi.... " And you asked, R went into partnership with S⁽⁸⁷²⁾ and they stipulated that they would not terminate the partnership except in each other's presence. S went to distant places and did business there for many years. He negotiated with the people (of the locality) and made a great deal of profit. Then he wanted to return. He embarked with all that he had, together with other Jews. When they set sail a fierce gale (arose) and shattered that boat and they went out half naked to the islands of the sea, and all that they had in their possession was lost. And they took refuge on those sea islands and there came upon them people that had never seen Jews in their lives, and they wanted to capture them. A miracle occurred and they were saved, half naked, from their hands. Later S arose and did business with the people (of the community) and sold articles which were considered dangerous, for the king had announced that whoever traded with those goods would be sentenced to be hung. And all the Jews that were there swore that they would not sell those goods. But S went and sold the (contraband) articles and made good profit. After that came losses and all his profits went. He had nothing left except a (few) fragments. He did business again and made money. Later R came and demanded of S....." (73)

Another responsum tells a different tale of two partners: S travelled across the seas and R ... served as an assistant in transporting the goods. They shared the profits of certain merchandise. "And they both went down (travelled) together because they knew the authorities of that road and they agreed with one another. While all was well on their journey, an accident occurred to R ... without the knowledge of S and he was bound to make a payment of five dinars to an official for that accident. When they arrived at a city which was on the sea shore, they left there their money and sailed across the seas. And when they were there, they deliberated about going for their money and R ... did not deter him from going because of the danger and said to S 'Go and do what you can.' And S went and, with the good will of the tax gatherer, found the money. (And the taxgatherer said) 'All the tax that I owe for the money is given to you for the gifts and the honors you bestowed on me.' Evidently bribing the officials was an excellent means of obtaining the coins confiscated. (74)

The necessity of bribing officials was only a minor annoyance. The real difficulty was the seas, infested as they were with pirates. In the Mediterranean, both Christians and Muslims were constantly preying on each other. The Isle of Soqatra harbored pirates who preyed on the commerce of the Red Sea and the Indian Ocean. During active periods of war, all merchant boats were naturally viewed as prizes of war. A business family of Fustat (c 1150) that had relatives in Aden and in India, and who made voyages to Colombo, tells a tale of capture by pirates

and ransom by relatives at home: " had said that you wanted to go to India, to C olombo And he told us of your return to Aden and how the ship was captured when you were attacked and how there came to you a cargo ship and you arrived at Aden safe and sound." (75)

Another responsum tells the tale of a merchant's drowning in a sea disaster because he could not swim: " They left with merchandise to distant lands across the seas. And it came to pass that one man was travelling on a boat with his merchandise and he drowned because he could not swim. And the Muslims and Christians that were with him were saved. And they saw the corpse of the dead and they did not bring it to shore because of the interference of the authorities." (76) Disasters took place not only at sea but even on the large rivers such as the Nile, as can be gathered from a communication of Elhanan ben Shemarya (c1010) who travelled from Damascus to Egypt. He wrote: " I decided I would go to Egypt (from Damascus) and I did not delay. And brigands fell upon us, plundering and robbing like birds of prey. After bitter wounds, we were saved from the hand of death. And we escaped several times from the wrath of the sea and its waves, from the Nile and the arms of its bays." (77)

While Jewish merchants from Muslim lands were captured by Christian pirate ships, the Saracen pirates raided the merchant vessels of the Byzantines and other Christian powers. In the 11th century, a number of Byzantine merchants were forcibly brought to Egypt as captives of the Saracen pirates. Their Jewish

co-religionists in Egypt saved them from servitude by paying heavy ransom. (78) During periods of war, such as the invasion of the Seljuks in 1071 or the Crusaders in 1099 in Palestine, all goods could be easily confiscated.

In a letter of this period, advise is given in reference to the shipping of goods: " Ali advises Hibah (his former son-in-law) through Ebayator that, if he sends cotton or flax via Jaffa, the governor there would confiscate the goods and hand them over to the general of the Fatimid army fighting the Seljuks - whereas the importing was possible through Ashkelon." (79)

In the trade between Sicily and Egypt, disasters often took place. Mann reports a great disaster of a merchant ship bound for Egypt - near the Sicilian coast (c 1034). Some of the goods was saved although the owners were not on the boat. The authorities commanded that these goods be sold in auction and the returns be paid to the exchequer. This was the fate of all merchandise belonging to non-Jews. Hayim ben Jacob, a Spaniard, and his son, Nissim, the two communal leaders of Sicilian Jewry - saved all goods of their co-religionists and had them returned to their owners. (80)

One of the civil cases recorded, that of R. Jehudai Gaon⁽⁷⁶⁰⁾ and another of R. Hai Gaon are of interest. The former was asked:⁽⁹⁹⁸⁾ " He who lent his friend (some money) and he wished to travel across the seas; and as yet his time for payment has not arrived. May he demand payment? And he answered no." (81)

The responsum of R. Hai Gaon indicates a more complex

relationship: " R has a partner across the seas. And S ... said to R, 'Write to your partner that he should purchase for me a certain object and send it to me with whatever merchandise he sends you'. R ... wrote to his partner and he purchased that object and he sent it with R's merchandise. The boat sank. And now R. said to S ... 'You are obliged to pay me the amount of that article, for you caused me a loss.....'" (82) The answer of the Gaon to this question is that it all depends on what the arrangements were and who accepted the responsibility.

4. Jews as Shopkeepers, Local Vendors, Owners of Inns & Bath-houses

The responsa indicate that a great number of Jews were engaged in local retail trade. Some sold their wares or food articles in the open market squares; others had special and permanent shops or stores in the open or closed bazaars. Still others eked out a poor livelihood by peddling wares to the villages roundabout the large cities. Those who had a bit more capital owned inns and bathhouses which were frequented by the merchants and the general populace.

Concerning the struggle between Rabbanites and Karaites, it is evident that both elements owned shops in Jerusalem. However, the Rabbanites were in charge of supervising the bazaars and the sale of ritual meat. The Rabbanites often forced the Karaites to close their shops on the Rabbinic holidays. In 1024, an edict of toleration was drawn up which was put into effect in

1029. A section of its protocol read: " Enabling the followers of each party to live up to their beliefs, enabling you and them to prevent any molestation, one from the other, in regard to that which is necessary in the ordinary course of buying and selling, as they either follow or neglect upon their festivals such business according to their choice and free will." (83)

The poorer people sold their wares in the open markets, eg. fruits. (84) To eke out a living they were probably forced to stay there all day and returned when night had set in. Hence some could put on phylacteries only in the evening. (85) Special marts and fairs were held, on various occasions, for specific purposes. To these, both the large and small merchants found their way. Jews were forbidden to participate in fairs designated for Gentile religious objects. A responsum of R. Sar Shalom ben Boaz (849) states: " And in localities where fairs are designated for heathen deities once a year, ~~xxx~~ merchants come there and do business. And when they depart they levy a tax on them for heathen purposes and the fair is known by the name of a particular idol (86) (or saint) - it is forbidden for Jews to go there and do business."

Some craftsmen sold their own wares directly - in the bazaars. But the poorer craftsmen sold their goods to shopkeepers who could afford to carry stock of such goods. Knowing the role of the Jews in textiles, it is interesting to note this responsum: " R and S were in partnership. They sold silks in a store of the bazaars " (87)

An Oxford inscription speaks of a Kairowan Jew who

owned a store and dwelling in Maginah. (88) In an Arabic letter of the 11th century sent from Palestine, the writer is sorry that he gave up his shop, and he asks the person in charge to take good care of it. He said, " And I request you to purchase for my relative, Tziyyah, green veils for ten dinars and blue veils for three dinars..... And I request that you take good care of my store and that you fulfill your duty to me with a righteous and faithful heart, and the Lord will help you and sustain you..... Here, at Ramleh, there was a plague..... We have lain upon a bed of grief..... And I have spent a great deal since the time I left the store....." (89) In reference to taking of merchandise from a storekeeper on the holiday, one can safely judge from the response that Jews maintained special food shops. (90)

Sometimes, when shopkeepers were not able to meet their bills, they gave up their shops for certain periods. An interesting responsum, probably of R. Natronai Gaon, is available in reference to this matter: " For five ⁽⁸⁵³⁾ dinars (R pledged his store to S....) and he gave him one zuz as a deduction against the debt.... They both agreed not to restore it until two years were up. When one and a half years were up, L came and said to R. " Lease me that store and I will give you the money so that you can pay back S...." R sent for and said to S: 'Take the money that I borrowed from you and leave my store....' (S replied); (Not) until I will be recompensed for the two years that you owe me.' And R said to him, 'Here I have another store that is nearby that store and you can receive two years' compensation from it....' He said, 'I will

not leave it for I have the legal right over that store...' The Gaon decided against the debtor, saying, 'This is our opinion: R was not justified in speaking to him and the reasoning of S.. is better, and he can't remove him until two years are over...' (91)

Jewish pack pedlars were also known in those days, selling their wares in small towns and villages. Jewish pedlars seem to have been numerous in Egypt and North Africa. Pedlars sometimes entered into partnerships, perhaps because of the inherent dangers of the road. A responsum states: "R ... S ... and L left their locality to carry on trade in the villages, and a rumor was spread that they were murdered on the road." (92) Pedlars who visited the villages carried a great many types of merchandise and their packs must have been very heavy. Another responsum states: "One who left with merchandise for the villages of Egypt and his pack was heavy, and he came to a province and he deposited, with a Jew, part of his merchandise for safe keeping....." (92a) The responsum given by Ginzberg renders several graphic details as to how the poor pedlar eked out a living: "And you asked - 'Pedlars that travel about in villages and hamlets and sell broken ware, flax, wool, and spices and take in (in exchange) wheat and barley from the well-to-do (in the city) and arrange with them so many kefizim (small measure for kind) for the dinar. They took the money and purchased the merchandise mentioned and sold it to them and made profit.'" (93)

In all trading communities, there was need for inns and

bathing houses. Jews, in Babylon and elsewhere, were engaged in these ventures. Often, the mere possession of a favorable location served as an impetus for the Jew to change his dwelling place into a public inn. A responsum of R. Amram Gaon states: " (There exists) a Jewish group of dwellings, one next to the other, and a public highway passes between them and they face the public highway in both directions. One of the dwellers of the courtyard arose and closed his court and he built in it an inn or a store, selling fruits. Can the residents of the court facing the inn or opposite say to him, 'We suffer an injury for our women cannot come and go (at will). In the store or inn (anybody) and everybody comes and tarries.' May one deter him (from making his home an inn or store) or not.....?" (94)

Jews often leased their inns, bath houses or public ovens to non-Jews. The Geonim sanctioned the renting out of inns but not of bath houses. ~~to non-Jews~~ (95) At the public baths and ovens, the custom of paying in advance and the receiving of brass admittance checks was in vogue. This custom was a carry-over from Talmudic days. The Gaon, explaining the term 'uncoined metal' (Baba Bathra 47b), states: ' The interpretation of the rabbis for uncoined metal is that they give token(s) to the bath house. This was the custom in those localities. They would (pay) in advance to the owner of the bath house for ten baths, for which they paid one silver piece. The bathowner would give to the person who paid

in advance, ten brass pieces which served as a token that he received from him for ten baths. Whenever he presented one of those coins, he could enter the bath and bathe..... And further, there is such a custom among the bakers.... The baker receives the price of a hundred rotls and he gives to the buyer brass coins as tokens, and upon this is a token of a rotl, and upon that a token of two rotls, and three and four.... And when one brings to the baker one rotl, he takes the definite quantity that is upon it.... Thus, in a similar fashion do the porters, for each and every task, receive a token like these." (96)

5. Types of Merchandise Sold: In the previous responsa of this chapter, we indicated that Jews were engaged in the buying and selling of silks, flax, wool, wheat and barley, foods and spices, ointments, pottery and books. Reference may again be made to the Radanites who brought from the west - slaves, furs, and swords - and from the east - spices and other produce. Many other responsa and fragments are available indicating that the Jews were engaged in the sale of lands and grains, condiments and spices, cattle, orchard fruits, textiles and dyes, drugs, precious minerals and gems, glass and earthenware, books and art objects and stolen articles of various types.

Lands were sold directly or through real estate agents. The agents received a stipulated fee for their services. A responsum of R Hai Gaon states: "R was obliged to sell his land, and he wanted S... to buy it. He said to L... 'Go to S.. and

sell it to him and I will give you, for your trouble, a certain sum.' They bargained between them until they both agreed and S bought it....." (97)

Grains were sold by the measure or in bulk. A responsum of R. Nahshon Gaon states: " And you asked... R sold to S...
(874)
Khors of wheat for dinars. R accepted the dinars and S took possession of three fourths of the Khors and returned home. And he returned to take away the remaining fourth..." (98)

Another responsum of the same Gaon states: " R sold a houseful of seed to S and he showed him the house, but he could not go into the entire house." (99) The Passover holidays doubtlessly resulted in the increase of trade in grains. (100)

From fragments and responsa we note that Jews were engaged in the sale of condiments and spices. A responsum of R. Hai states: " R sold to S a load of pepper in a boat." (101) On a document dated 1085 Fustat, a rough draft of another document is found. The draft indicates an agreement between two parties concerning various articles of commerce, including pepper and opium. (102) Pepper was shipped by vessels and boats to many lands, as is evidenced by Genizah fragments. (103)

Jews often purchased spices and condiments through a third part, as one fragment indicates: " From now, inasmuch as he returns the sixth part of the coffee beans which he purchased, this is his (if he (or there) remains) possession of all the coffee beans he has bought. If he is so lucky as to come to an agreement with him regarding the price, or with the help of

agents who step in, the sixth part remains in his possession, but this deal is annulled." (104) Mann also reports a fragment indicating that merchants traded in spiced oil. (104a)

Jews, who were engaged in the cultivation of orchard fruits, disposed of their goods either on the bough or in bulk. A responsum of R. Joseph ben Isaac states: " And you asked - (France - c 1150) One sells vineyard fruits to his neighbor and (if) he received money from him or not, and rains came and (the fruits) were spoiled or the river washed them away - does he have any legal redress or not?" (105) Dates, which were a Sabbath delicacy, were particularly available on the Jewish market during the month of Tishri. (106)

Jews were engaged in the sale of cattle. We find, in a treatise on laws of property in Judeo Arabic, a discussion on the selling of cattle. (107) Jews purchased cattle from their co-religionists, (108) and from non-Jews as well. A responsum of R. Natronai Gaon states: " And you asked - Gentiles bring oxen, lambs, and rams outside the 'Sabbath area' after Sabbath (commenced) or on the eve of Sabbath, and at times the (mid) holiday falls on the day of the fair and it is not known whether they bring the animals for the Jews or non-Jews - may a Jew purchase from them or not?" (109) Records indicate that Jews purchased cattle and camels from churches and monasteries. (110)

Even as the Jews were engaged in the manufacture of textiles, so also were they engaged in their purchase and sale. In Chapter III, Note 31 - mention was made of two men who were

in partnership for more than forty years, producing and selling cloth. One partner wrote and complained: " You were most kind to promise and say, 'Do not distress yourself and endure hardship on land and sea without limit. Send me whatever you like, and I will see to the selling of it and sending it off for you.' So I relied upon your word." (111)

The manner of selling textiles made, probably, in small towns in North Africa or Spain is indicated in the responsum of R. Paltoi Gaon. He states: " And you asked - Germans usually (842) come to us with their merchandise in the summer period and rarely in the winter. And when they come to purchase our clothes, they state that they are not worth anything. But when they hear of another caravan coming behind them, or if it occurs that they have to depart suddenly, they hasten to buy and sell all (the merchandise). On the half holidays, non-Jews come and do business with them..... One that was preparing for them all year or a woman that made clothes to buy and sell to them.... " (112)

Jews not only manufactured silks, but were engaged in the sale of them. A responsum of R. Saadya's states: " There (928) appeared before us for judgment two brothers, R and S ... R argued that he delivered to S..... one thousand gold dinars more or less and they engaged in the silk business. And this business brought in profits." (113) Another responsum of R. Nahshon Gaon (874) states... " It is customary in our localities to purchase fine linens cheaply. And there is no merchandise that can be compared with it and we make a great deal of profit out of it." (114)

Manufactured garments and other articles had no fixed prices, varying in accordance with market conditions, as one responsum testifies: "Merchandise which cannot be estimated - like wool, purses, expensive clothes, or gold - at times go up in price and at times they go down....." (114a)

Business in textiles also lead to business in dyes. A fragment is available indicating that Isaac b. Abraham of Magreb deposited with Kainoi al Hasan in Fustat two containers of indigo dye. After his death, these were duly forwarded to Kairowan where they were received by the legally appointed guardians. (115) Another undated letter (of Gaonic times) has reference to a consignment of saffron. (116) A Genizah fragment gives a few details of the high price of saffron and all the overhead entailed in the purchasing and delivery of textiles - "He has bought five hundredweight of saffron from Sa'd (paying) twenty-nine dinars for every hundredweight, which makes the price 145 dinars. And (these should be) deducted from this, for leather table cloths and string, and eight dinars and two dirhems and bakshish and (for) porters and other necessary expenses twelve dirhems." (117) One responsum also has reference to the purchase of two kintars of Kirmiz for which a security of three garments were given. (118)

Jews were retail druggists and also wholesale distributors of drugs. A Genizah fragment of the 8th century refers to Joseph, the Priest, whose father or grandfather was a druggist in Fustat. (119)

On the Cairo-Damascus highway, which was often infested

with robbers, Jews travelled with the other merchants. Among their merchandise, the Jews had soap and almonds . (120) Note 33 in Chapter IV indicates that the Jews (in 998) also purchased antimony powder, valuable as an eye salve, and later sold it in foreign countries. (See) Chapter IV, Note 33.

In Chapter IV, Note 114a - it is indicated that Jews were engaged in the merchandising of expensive garments and bullion. Along with this trade, came the trade in precious gems and art ware. Mann has indicated the role of the Jews in bullion trade. The Jews purchased bullion and gave it to the mint to be coined. In Gaonic times, there was no fixed or uniform coinage. The respective provinces of the empire had their individual standards, eg. the dinar of Yemen was inferior in value to the dinar of Irak. The diverse standards brought about a great exchange business in which Jews participated. In Chapter III, Note 80 - reference was made to the possession of a grindstone which ground gold and silver dust. Bullion was also purchased from bankers on credit. (122)

Another responsa tells the tale of a Jew who possessed silver in bullion. Realizing that the minting would be delayed, he requested another Jew who was held in high esteem by the master (123) of the mint to forward the bullion to the mint in his own name.

A Jewish coral dealer who was held up for baksheesh - a common item of expense in the east - stated: " I paid to him..

Uram the Sicilian, a sack in which there is corals, some of them belonging to the coral gatherer..... I have weighed, I from.... the sack the portorage and the baksheesh of a dirhem.." (124) Another fragment tells of an agent of Yazid b Muhallab who sold a ruby to a Jew of Khorasan for 30,000 dirhems. After the sale was concluded, the Jew remarked that he would have willingly given 50,000. Noticing the agent's disappointment, he added one hundred dinars. (125)

Jews were also engaged in the distribution of earthern, glass, and metal wares. A Gaonic responsum states: "Glass vessels, earthern vessels, and vessels made of metals that the Jewish merchants purchase from the Syrians. And Jews come and purchase (these) from the Jewish merchants....." (126) Caro reports of a Jewish merchant of Edessa who purchased the old colussus of Rhodes to break up into pieces...(126a)
(8th cent.)

Commerce in books and papers was a highly developed business among the Arabs. Baghdad, for example, had more than 100 booksellers and papersellers' shops. (127) Jewish life, itself, generated a group of booksellers. Books were needed in synagogues, schools, and academies. Jews were in the habit of purchasing books for their homes. (128) The rich and also the physicians were famed for their libraries and their manuscript collections. (129) In Chapter IV, Note 121 - reference was made to a shipment of books from Magreb to Fustat to Jerusalem. Several Genizah fragments record lists of books, occasionally with

their price marks. (130) The majority of books mentioned are principally Judaica, Bibles, Biblical Commentaries, Talmudic Treatises, Mēdrashim, Legal documents, and decisions, Responsa of early Geonim, Codes, Customs and Ceremonies, Polemics, Calendar, Philosophy. In three book lists given by Mann, in his 'Studies of Jewish History, 326 items are listed. Of these, only 12 deal with secular fields. The items are in the fields of medicine, history, philosophy and ethics, grammar and rhetoric, poetry, and mathematics. (131) Fraudulent misrepresentation was also practiced upon book merchants. . . If the misrepresentation was in the matter of materials or the writing, redress could be had; but in the matter of the text, itself, there was no redress . (132)

Jews were also engaged in the trade of stolen goods. In sections where Jews lived in comparative safety, eg. in Babylon, (from the 8th to the 10th centuries), the Jewish authorities denounced to the government all Jews who bought stolen goods. (133) But, as the government became decentralized, and robbery and stealing was the order of the day, trading in stolen goods was legitimized. In order that the wealth of the original owners of the goods be not utterly destroyed, an institution was established which gave the owner of lost, stolen, or robbed property an opportunity to recover his possessions from the Jewish buyer - upon his paying back all the expenses incurred. In North Africa such conditions were quite common, as is evident from the responsa

of that region. (134)

All merchandise, whether in caravans or at sea, was subject to seizure by pirates and brigands. The booty was then sold to Jews, as is evident from the following responsa: "A boat that sank at sea and Gentiles rescued some of the merchandise, or a caravan which was attacked by armed brigands and the loads and merchandise of Jews were among them. Those Gentiles sold that merchandise to other Jews. The owners recognized the merchandise. Is it right for the owner to give to the purchaser the money he expended and take the objects or not?" (135)

6. a. Slave Trade - in the Arabic World: Islam took over the institution of slavery from the ancient empires. The conquests of the Arabs and the continuous raids of the Bedawi and pirates greatly increased the slave population. The organized slave trade provided the Muslim world with a steady supply of slave labor.

Slaves were treated kindly by their Muslim masters although, according to law, they were considered as chattel and inferior beings. The entire populace owned slaves. That the slave girls in Christian and Jewish homes were not sexually at the disposal of their masters, was a source of constant wonder to the Muslims. (136) As Mohammedanism developed, the stigma attached to being descendants of slaves disappeared. Of the slave armies and body guards kept by the Caliph, many were appointed to high places of power and wealth. The slave population of cities was quite numerous and, when dissatisfied, resorted to

armed uprisings.

The slaves were of two types - the white and the black. The white slaves were used as the personal servants at home, and often helped their masters in trade and commercial enterprises. The negro slaves were utilized primarily for manual labor. They worked in mines, tilled the soil, dug the canals, and were used also for purposes of prostitution. The black slaves came from Nubia and the interior of Africa. Both Benjamin of Tudela and al Baladhuri report the annual slave tribute rendered by Nubia to Egypt. (137) The slave markets for black slaves were Egypt, South Arabia, and North Africa. The ordinary price for a black slave was about 200 dirhem. They were often transported in lots of 100 or more, being linked and driven in chains.

The source of supply for white slaves were - Europe, particularly the Slavic regions - Central Asia and Syria. In general, the Slavic slaves were preferred to the Turkish slaves. The noted white slave markets were the regions of the Oxus and Samarkand, Prague, and the Mediterranean ports of Provence and Italy. From the Spanish slave marts, came most of the eunuchs. The price of a good looking white slave was about 1,000 dinars. In the 10th century, the charges for white slaves went up considerably due to Byzantium and Armenia's closing their doors and thus shutting off a great source of supply.

The profits in slave trade were considerable. The better class were sold through private dealers. Huge sums of money were made in the sale of female slaves who were also

professional singers. In 911, a female singer was sold for 15,000 dinars, of which the broker received 1,000. A fact to be born in mind is that the Orient had to be constantly resupplied with slaves. A great number of them were being continually manumitted and, as a rule, slaves were not reproductive. (158)

6. b. Jews in Slave Trade: There is sufficient evidence available that Jews played a conspicuous role in the slave trade of the day. Jewish law did not object to Jews' being slave traders, although it demanded the dismissal of all slaves ^{in Jewish households} who refused to become proselytes. As indicated previously, the Jews served as excellent mediators for exchanging the luxuries of the east for the furs and slaves from Europe. ~~reproductive~~ Private Jewish slave dealers and bankers sold slaves to the harems. (158a) Oriental Jewish capitalists were presumably welcomed in Europe where they became the chief slave traders, providing the various marts in the Mediterranean and the Muslim Empire with the necessary commodity. The Jews in the Franco-German Empire of Charlemagne were, to a large extent, engaged as slave traders. The ruling of the church and state, forbidding the sale of Christians to Jews or heathens, resulted in the Jews travelling further east to supply the slave marts of the world. Of course, the ruling of the Church or the State did not result in the complete cessation of the sale of Christian slaves. (159)

Until the 10th century, almost all the slave traders in Europe were Jews. In the middle of the 10th century, their

place began to be taken by the Amalfitani and the Venetians. The latter tended to exclude Jews from their contact with the Orient. In 964, Ven^ezian vessels prohibited the carrying of Jewish passengers. In 992, all Jewish goods were boycotted. (140) The Jews in Spain, in the 10th century owed their wealth to the profits they made in selling slaves to the caliphs for their body guards. (141)

Mann has indicated that, although a considerable number of responsa are available dealing with slaves, only a few refer to the actual buying and selling of them. (142) Perhaps the reason is that the majority of slave traders were in the distant markets of Prague and the Volga sections, and the relationship of the Gaonate with those distant marts was not very strong. However, the few available are proof of the fact that Jews in Muslim lands played their part in this trade.

A responsum of R. Nahshon Gaon (874-82) stated: " People in our localities are accustomed to purchase slaves cheaply, and there is no better trade for them than this. May (those slaves) be sold at once (without being initiated into the Jewish faith) because only one out of a hundred abides by the faith of Israel at all (which they recently accepted). We obtain from this trade a great deal of profit." The Gaon, in his answer, permitted this trade. (143)

Another responsum is available indicating that the Jews were engaged in the sale of ~~equines~~ and slaves. It reads: " Jews
(144)

came into port and had with them slaves and minor eunuchs. The officer came and took them away. And they bribed him and thereby pacified him." (145)

In an Arabic responsa of R. Natronai Gaon, it is indicated that Jews were suspected of selling female slaves for purposes of prostitution. The responsa reads: "The people of (various) localities (have increased the practice) of purchasing beautiful handmaidens. They state that they purchase them as female servants. However, they are suspected of purchasing them for purposes of prostitution." (146)

The slave trade being very lucrative, the Jewish masters hated circumcising their slaves, for then they could not resell them to non Jews. (147) When periods of persecution set in, the Muslim authorities struck at the wealthy Jewish merchants by prohibiting them to purchase slaves. (148)

From R. Hai Gaon's writ of sale of slaves, several interesting bits of information are recorded. The first refers to the nationality of the slaves sold and the types of slaves used in Jewish households. "Thus I declare before you that I have taken and received from him this and this amount... and I sell him therewith the Hindu slave or the Slavik slave or the Christian (Byzantine) slave or the Libyan slave or the Bengalese slave.... that I own." After indicating the rights of the new owner, the writ continues "..... this slave is lawfully bound to serve him and he is free and guarded from any claims of libera-

tion and from any claims or objections on the part of the king and the kingdom, and upon him there is no brand of any man and he is clear of all defects and of all scabs that may appear for a period of four years....." (149)

That deceptions were occasionally practiced in the sale of slaves is evident from the responsum of R. Nahshon Gaon: (874)
 " And you asked, One sold a slave to his neighbor and he was defective in several respects (when purchased) from the original owner. His second master healed him and he said to the original owner, 'Give me a deduction for the money it cost to cure him - an amount equivalent to what the expert merchants of blemishes will assign.' The original owner said to the second, 'Take the money that you gave me and return unto me the slave..!'"
 The Gaon decided that the original owner must pay and said: " He who acted improperly and sold him a slave that was defective and deceived him and did not advise him, he shall allot him an equivalent deduction." (150)

In Jewish settlements of outlying districts, female household servants were an absolute necessity (150a) to keep the daughters and wives from having to associate with dissolute elements. In a responsum of R. Hai Gaon, one reads: " And the Jews (998) living in those localities (Tlemsen) are in urgent need (of those slaves) in order that their sons and daughters be not forced to carry water from the wells on their shoulders and to go to the public ovens along with the Gentile dissolute female slaves,

(151)

thereby leading Jewesses into a condition of disgrace and danger."

From the same responsum, it is evident that Jews were not permitted to maintain Muslim slaves and were forced, in those communities near Tlemsen, to purchase only Christian slaves. The responsum reads: "And you asked, In places where Jews can purchase only Christian female slaves, and that type is prevalent in our localities, and the nonJews permit them according to their laws to purchase them (Christian slaves), but outside of those they cannot purchase them except in secret and with danger.." (152)

Even in the earlier days of R. Paltol (842-58), the responsa indicate that the Jews were not permitted to have Mohammedan slaves. (153)

The responsa reveal the fact that the Jews were tolerant and kind masters. The slave who adopted Judaism thereby raised his status and his personal welfare in the Jewish household. In a responsum of R. Zemah Gaon, it is stated: "And a female slave that says, 'I am a Jewess' but all her deeds are those of a nonJew - may one be permitted to sell her to Gentiles?" (154) Slaves entreated their masters to admit them to the Jewish fold, for as proselytes, they could never be sold to non Jews. (155) The Jewish masters educated the children of their trusted slaves in the same fashion as they did their own children. At times, they even entrusted their business affairs ^{to} the hands of the slaves. A response accredited to R. Sherira Gaon states: "A owned slaves who bore a son. A took the son, entered him in school, and he was taught Torah and Prophets. Those slaves served their master (well) and the property of the master was

(entrusted) to the slave..." (156)

Jewish law forbade the sexual relations of masters with their female slaves. As mentioned, Muslims were astonished at this attitude of Jewish law. (157) The literature of the period points to the fact that the law was occasionally broken. History relates that even Bostanoi (842) married a royal slave captive, the daughter of the Persian king, Chosru, and he had by her three children. (158) Illicit relations between master and slave invariably resulted in the slave's being sold and the master's being severely punished. One responsum states: "A Jew that was caught having illicit relations with his female slave, how is he to be sentenced? This is the law: the slave is taken out of his possession and she is sold, and her purchase money is scattered among the poor of Israel. They punish him (the master), his deed is scraped, and he is banned for thirty days. This is the law." (159)

Another responsum of R. Hai Gaon states: "One had relations with a Christian female slave and she bore a son. The master brought him to synagogue to circumcise him and the (elders) of the community said to him, 'We will not circumcise (this child) until you advise us who is the father'; and at the end he confessed (160) that it was his son, and later on he freed the female slave..."

The welfare of the slave was looked after by the Bet Din of the community. The mandamus requiring that the slave keep the Sabbath contributed towards the humane treatment of them. No personal whim of the master, whether great or small, could stand

in the way of the Sabbath institution. The master had to give the slave his due rest. Whether the slave took advantage of the Sabbath institution was a matter within the slave's jurisdiction. (161) Jewish masters manumitted their slaves. Often the masters adopted the Roman custom of freeing their slaves, either before or immediately after their (the master's) death. An oral declaration before witnesses by the master in any language was all that was necessary in setting a slave free. The writing of a bill of emancipation was a secondary step in the process of manumission. (162) Sometimes, the slaves purchased their own freedom by paying a stipulated sum for a number of years. (163) The Jewish method of manumission corresponded with the general practice of manumission current in Arabic society. (164)

Kind treatment of slaves did not result in the acceptance of their lot by all slaves. Occasionally, they fled - particularly during periods of disorder. Many of the slaves that endeavored to gain their freedom were doubtlessly ransomed or repurchased by their former owners or their heirs. (165)

7. Jews as Bankers: It is an established fact that professional money lending developed primarily in response to the need of consumptive credit of both private individuals of high rank and of public authorities. (166) In the expansion and development of the Muslim Empire, the state and municipal authorities were in need of ready cash for regular and special ventures. Most of their funds came from taxes and contributions, as will be

indicated in ^{the} next chapter. However, these moneys were insufficient and the authorities resorted to obtaining credit from private bankers. The private entrepreneurs in agriculture, industry, and trade were likewise in constant need of ready cash for their private ventures. They resorted to the private bankers of the day for loans and credits.

The available fragments and the numerous responsa indicate that the Jews, in Gaonic times, also played a part in the banking business of the day. A responsum of R. Hai questions whether coined gold is to be considered as money or as merchandise. (166a) In Chapter IV, Notes 122, 123 - it was indicated that Jews were specifically engaged in the bullion trade. It is becoming apparent that, from Persia to Spain, the Jewish bankers must have played a considerable role in the business activities of the time. In **Babylon**, two Jewish bankers, Joseph b Pinhas and Haran b Irmam, were in partnership (c 900). At one time they farmed the taxes of Ahwaz. It is reported that they lent a Wezir 10,000 dinars. The Wezir Ibn al Furat reported, in 918, that he owed that firm 700,000 dinars. The Jews of Tustar were also engaged in the banking business. In 950, the governor of Baghdad, before he escaped from the marshes, received the necessary funds from the Jews. (167) At **Medain** most of the shops of the money changers were in Jewish hands. Mukadassi, in 985, reported that in Syria most of the bankers and assayers in coins were Jews. (168) In Egypt, there existed a guild of Jewish bankers. (169)

In Chapter IV. Note 138a, reference was made to Abu Saad Ibrahim of Cairo who sold a slave girl to the harem (c1040). This Abu Saad and his brother, Abu Nazr Harun, were the sons of Sahl of Tustar. Abu Saad went on long journeys and acquired rare and precious objects. Abu Nazr Harun was a banker. The people deposited their valuables and savings with him. He also acted in the capacity of an intermediary merchant, i.e. a broker selling the merchandise of Iraq and other countries. These merchant-bankers were widely known, well liked, and acquired great fortunes. (170)

There are several other fragments referring to the Jewish bankers of Fustat. David Ha Cohen b Solomon loaned Isaac b Abraham of Magreb, in 967, 600 pieces of silver. The latter promised to pay his debt to David in Kairowan where, presumably, David was bound on business. (171) In appealing for contributions for the Palestinian schools (c 1020) reference is made to Nataneel ben Aaron, the banker, probably of Fustat. (172) In 1035, one hears of a banker, Abraham b Sahlan, who was both a scholar and a communal worker of the Babylonian community in Fustat. (173)

Bankers, as well as physicians (see Chapter V), were the lay leaders of Jewish communal life. An excellent picture of the communal activities of a banker is given in a responsum from Tlemsen forwarded to R. Hai Gaon: "R who dwelt in the province (of Tlemsen) and was known as the elder of the congregation and leader in all matters, whether in matter of charity, or fine and loss collected from the community, and none contributed more than

he did. He was known for his great wealth and he was head over shoulders above everyone else in all his deeds. And he had two sons. The elder carried on the business at home with his father's money, and he ate at his father's table. The younger, when he became of age and was able to do business across the seas, his brother gave him of the money at hand and he went out to do business." When the old banker died, the elder tried to do the younger out of his property. In the arguments, it is noted that the banker dealt in caravans of silk, and carried on trade in textiles and also engaged in other enterprises. It is also evident that his household was well furnished, having gold and silver vessels and other things of splendor. (174)

People who had some money often invested it with bankers or other entrepreneurs so as to have a means of income. Scholars frequently lived on their capital. Natan ben Abraham (c1040), as he was proceeding from Kairowan to Palestine, entrusted his capital to some people in order to be able to live from the income and thus devote himself entirely to study and teaching. However, his capital was lost and he was deprived of everything - in fact, even his family was detained at Fustat until he could pay his debts. (175) Another Genizah fragment reports another loss and fraud in Alexandria (c1150) Of the thousand dinars which the man gave to his agent, some of it was invested while the rest was either lost in speculation or stolen outright. The agent claimed that he was not responsible and was prepared to bring the matter to a Muslim court where he would win the case.

The original owner did not accept his mediation in the matter and sought retribution among Jewish friends. (276)

The entire question of interest and the legal fictions involved are so inextricably bound up with Geonic law that the entire matter will be fully discussed in Chapter VIII.

Bankers were sometimes placed in varying circumstances, for each province made its own coinage - the value of which naturally fluctuated. A responsum of R. Nathanael Gaon states: "One lent money to a neighbor and that coinage became worthless, how shall he be recompensed?" Another responsum of R. Hail Gaon states: "If the coinage was in a good condition (had a high rate of exchange and hence borrowed from it was he shall pay him back its equivalent value. And if the coinage was debased, he shall pay back at once. If (meanwhile) the government does not shed the ⁽²⁷⁸⁾ cancelled the coinage - for that situation there are four remedies."

The fluctuations of coinage are indicated in another responsum of R. Hail when he writes: "At the time (Biblic) the Jews purchased the field (Biblic) from So-and-so gold was worth 128 and the D.T. of agreement passed and he did not repay him anything, and before the month of Tishri was up and the gold was at the exchange rate of 148 and If the same responsum, the money changed, knowing the condition of its price, stipulated easy terms for him if he paid it back before the Day of Atonement. Otherwise he was required to pay the market price of the bullion. (179) An Arabic loan contract of the latter part of the Geonate is

available indicating that interest was charged at the rate of two dinars per month. (180)

One responsum indicates how men with capital entered into a banking partnership. The amounts put in were in the ratio of 6:4; but, in view of the fact that the one who put in less money was the active partner, the profits and losses were fixed in the proportion of 41.6:58.3. The responsum reads: " R..... became a business partner of S and a deed was issued and these are its contents, S obligated himself. On this day and this place - - - R transferred to me 3,000 gold (dinars) on condition that S..... shall add to them 2,000 dinars and whatever else he shall have and he shall do banking business and other types of traffic with them. And whatever profits shall be granted from Heaven, R..... shall take from it $2/6$ plus $\frac{1}{2}$ from every zuz, and S... the remainder of every zuz and the remainder of the sixths. In a similar manner shall they divide the losses....." (181)

Bankers, in making loans, naturally expected good securities or collateral. An undated Genizah fragment refers to a merchant, Ibn Ghurab, who was in dire need of a loan. In endeavoring to obtain the money from the banker, who was or was not a Jew, he was prepared to sell the resin and the tartar that he owned. (182)

From a responsum of R. Saadya Gaon, it is evident that ⁽³²⁸⁾ the value of the securities offered was rather indefinite, and that the bankers were also subject to exactions on the part of

the rulers. The responsum reads: " R. gave securities to S for the 288 dinars that he borrowed from him and he paid him back part of it. Later, he gave him a jewel as security for ten dinars, and he paid them back. Now R. demands of S. that he return to him his securities for he wishes to pay the remainder of his debt; and S. states that all the first securities and the jewel were lost when the king seized him and robbed all that he owned. Furthermore S. states that the securities were not worth more than a hundred dinar and R. claims that they were worth two hundred dinars; and S. states that the jewel was not worth more than four dinars and R. argues that its value was ten dinars..." (183)

Farmers, in order to obtain loans from bankers, mortgaged their fields, vineyards, and also their produce. (184) Poor country pedlars, who had no security, obtained credit from money lenders by agreeing to pay them back in kind. At times the value of the produce rose, but the creditors refused to take money for the loans and insisted upon their payment in accordance with the stipulations made. Naturally the Gaon condemned this usurious practice. (185) Another practice condemned by the Geonim was the purchase of produce for speculative purposes in order to raise prices and gain control of the market. (186)

8. Methods of Business

a. Partnerships: Partnerships were common in all business enterprises, whether between Jews themselves or between Jew and non Jew. The commercial relationships between Jews and non Jews will be discussed in Chapter VII.

Partnership agreements were of two types: one in which both partners invested money, either in equal or unequal amounts; (187) the other, in which one member invested capital and was a silent partner, while the other was the active partner with experience and actually carried on the business. (188) All partnership agreements were brought before the Bet Din for certification and were also terminated there. (189a) Partnerships were for stated periods of time and there were definite stipulations regarding their termination. (189b) The profits and losses were divided according to various ratios. In matters of equal partnerships, the profits and losses were divided equally. (189c) Where unequal amounts were put into the business, or where the relationship was of the experience-capital type, the rates of return varied. (189c) The partnership agreements also had other stipulations regarding the carrying on of business, as to who was to hold the cash, and whether or not business was to be done individually, as to the giving of credit, and the taking of stock and inventory: (189e) Sometimes, more than two persons were in a business enterprise together. (190)

The response literature deals with almost every aspect of partnership. Several responses have reference to problems arising out of cases where partners put unequal amounts of money in the business. Reference to such a case was made in Chapter IV, Note 181. A response of R. Natronai Sapon gives an interesting special agreement: "I gave to R. a hundred gold pieces on a partnership basis, upon the condition that wherever and whatever

business he does, even if he receives other funds with which to do business - all acquisitions were to be divided equally." (190a)

A responsum of R. Sherira Gaon tells the tale of two business men. One gave 150 zuz and the other 50 to the business. ⁽³⁶⁸⁾ The one who gave the lesser amount was the active partner. In view of the fact that the silent partner did not pay him any wages for his labor, they agreed to share the profits equally. When the day of settlement came, the active partner demanded a greater share of the profits for his labor. The court denied him his request and upheld the contract. (191)

A Genizah fragment refers to a partnership dated 'Tebeth the first 1388 (1077 C. E.) and which was to be terminated Marcheshvan 1389 (1078 C.E.) The partnership was between two members as one party with another party. Each party was to receive one half of the profits of the joint business. (192)

Many responsa are available relating to the capital-experience type, wherein the promoter received 1/3 of the profits and the executive 2/3. (193) Sometimes the executive added some of his own money to the business, but that did not alter the general ratio of profits and losses. (194) A variation of the general type is noted in a responsum of R. Sherira Gaon: " R, transmitted to S. the management of funds on condition that R. receive ⁽³⁶⁸⁾ 2/3 of the profits and S... one third. (In addition) S... was to take wages and sustenance for his labor....." (195)

When two men entered into a partnership, that did not imply that they could not carry on other business relationships. A responsum of R. Paltoi Gaon relates a case where one partner performed a business transaction of his own accord, since there was no condition against it and profited thereby. (196)

In a responsum of R. Saadya Gaon, one business partner made a similar venture and lost. His partner refused to share the loss. (197)

There were times when partners had different views regarding certain business matters. In another responsum of R. Paltoi Gaon, there is a record of one partner's sending money across the seas in opposition to the wish of the other. (198)

When people were in partnership, one remained at home to take care of the business while the other, the outside man, travelled. Presumably, partners checked up on each other at times to see if all was well, or one followed the other's footsteps because business arrangements demanded it. (199)

Another responsum speaks of a partner who received his stipulated salary on condition that he become the travelling agent for the firm. (200) Another tells of a family that lived in Kabes, and the one partner sent merchandise to his brother-in-law who resided in other lands across the seas. Business was carried on by constant communication. (201) Not only did the family send its members to foreign strands (see Chapter IV Note 43), but individuals living in different countries found it advantageous

to establish partnerships. A law report dated Wednesday, 12 of Nisan, at Fustat (1098) tells of business men of Baghdad and Damascus who entered into partnership with other people.... (202)

It has been indicated that partnerships were for a definite period and could be terminated upon the agreement of both parties. A responsum of R. Paltol speaks of two individuals who⁽⁸⁴²⁾ were in partnership for a period of five years, and of one partner desired to end the agreement before its termination, he was to be fined one hundred dinar. (203) Another of R. Sar Shalom⁽⁸⁴³⁾ speaks of a law suit that arose in view of the fact that one partner dissolved the partnership by pronouncement without sending an explicit and itemized account and reckoning. (204) Another stipulation referred to the carrying on of the business by cash or credit. A responsum of R. Hofni tells of one partner who sold⁽¹⁰³⁴⁾ on cash and the other on credit. Presumably the partner who sold on credit had some losses. The other sued him for selling on credit. The decision of the Gaon was that the partner was within his rights when he sold on credit, for he was not an agent nor a wage earner but a partner. And, furthermore, the partnership agreement did not bar him from selling on credit. (205)

When a partnership consisted of more than two members, the problems that arose were naturally more involved. A responsum of R. Saadya Gaon tells of one partner who furnished the capital to two others for a stipulated rate of profit. After the⁽³²⁶⁾ partnership had been dissolved, the government confiscated all

the goods of the active partners, including that of their creditors. Naturally the creditors sought ^{to} recourse by attempting to have the original capitalist stand good for their losses. The capitalist refused since the partnership had been broken for some time. The Court upheld his attitude. (206)

Another respondent of E. Sadie's tells of three partners who brought their merchandise to Babylon. Because of the low market conditions, they left their wares there to be sold another time. Later, two of the partners put over a private deal without the knowledge of the third. When conditions at the port became unstable, they decided to ask the third man to join the enterprise for the venture. He agreed. The goods were shipped off to Babylon. When the two partners discovered that they lost on the first venture and made profit on the second, they tried to divide the profit and not give him his share of the profits, arguing that he was not there when the purchase was made. The Court forced the two partners to give the third his due. (207)

B. BUSINESS AGENTS. POWER OF ATTORNEY. BUSINESS

Procedure: In earlier days, it was also customary to carry on business by means of hired agents who were both individuals and occasionally speculators. (208) A respondent of E. Sadie's Court gives a little detail of the relationship between the business man and his agent: "I transferred his merchandise to E. . . who was a broker and they remained in his hands many days. Finally E. came and demanded it back and that merchandise

was in sacks which were counted and recognizable. Finally they were counted and they found one missing. R. said to S.... 'Where is the missing sack?' He replied, 'It was in the place where all the merchants put their wares. Now that spot was not seized by the king nor by armed robbers, nor was there a breach there.' Now R demands of S.... that sack or its equivalent value, for it was the custom of brokers to take a stipulated fee for the services they rendered the merchants. The Gaon answered: 'In this case, S. is held liable without doubt, for he is a hired wage earner and the law is that a hired man must pay for all that is stolen or lost belonging to his master....' (209)

While in Chapter IV Note 208, it is evident that the agent had to concur with the merchant as to the price - in a responsum attributed to R. Hai Gaon, the representative was given a free hand. The merchant could have recourse to the court if he felt his agent had double-crossed him. (210)

A responsum of R. Nahshon Gaon tells the tale of two partners in Ifrikiya. One crossed the seas to dispose of his merchandise and had no luck. Whereupon he hired an agent to sell the goods in the interior. The agent, it appears, disappeared. When the partner returned to Ifrikiya, he was held liable for the loss of the wares. (211)

Concomitant with the development and expansion of trade, was the rise of the power of attorney. Merchants found it necessary to give authorizations to people to do particular bits of work, such as the transfer of money (212) or the collection

of debts. In a Judeo-Arabic document, Moses Halevi asked the Bet Din of Fustat to issue a power of attorney to Simhan Ha Cohen so that the latter could represent him concerning all the claims he had on Jews living in Morocco, Andalusia, and Sicily. In visiting those places, the attorney would, of course, invoke the aid of the local Jewish courts should any litigation arise. (213)

Another legal fragment reports the case of Abu Izzan Moses Halevi, son of Moses Halevi who stated before the Fustat Bet Din (1115-1116) that he had some goods deposited with friends in Sicily. A power of attorney was legalized for..... known as Iambacher to look after all his business in Morocco, Sicily, and other places, as well as his houses in Sicily and Spain. (214)

The development of commerce resulted in increasing the authority of the power of attorney, discussion of which will be given in Chapter VIII. In Madrasa, the custom developed in the early days of the Banu al-Hanafiyya, giving the power of attorney the authority to collect debts across the seas. (215)

Business men also found it advantageous to adopt the custom of forwarding money orders rather than money itself. When money was lost in transit, the parties had recourse to the Bet Din. (216) In reference to the forwarding of money orders, an interesting response is given by I. Sheriza or H. Hal Gaor. (217) It states: "This is our opinion - according to the words of our law (Halakic law) there exists no authorization to forward money orders. However, since we see that people use (those forms) we began to consider them in order that commercial transactions

between people be not nullified. And we agreed to judge such matters according to the commercial code of merchants - neither to add nor detract...." (217)

In many localities, eg. India and Yemen, where coinage was presumably stable, the Jewish merchants of Sherira's days were in the habit of counting instead of weighing money. (218)

As has been indicated, business men travelled from one country to another, and they often changed their residence. (219) People on the road were required to have permission from the authorities, (see Chapt. IV Note 55). ~~There is no indication that~~
~~customary for travellers to have a pass, as in the case of the~~
~~they travel with permission of the authorities. The officers~~
~~of the road did not have to deal with them~~
~~from travelling further.~~ (220) The fact that merchants travelled to foreign shores did not permit them to demand payment in advance or the receipt of special guarantees. (221)

The usual mode of carrying on business transactions was either through persons or business communications. (221a) Business correspondence was transmitted by post or by means of trading caravans. The trading caravans passed through distant communities only twice a year. (222) The necessity of keeping all business correspondence is evident from the following tale: R and S, who were related through family and through business, lived in different countries. (223a) After returning from abroad, many years later, R demanded of S and said to him, "Give me the value of my merchandise." S, retorted: 'Your letter came

to me advising me to transfer the money to my father, and I have already transferred it to him. And behold I let you know, in my communication to you, that I have given the money to my father as you ordered me to do." R... took out S's letters and in some of them it was written what S.... claimed. (Now) S's father was dead for some time. R said to him, "I did not write you (anything at all) about giving anything to your father. If what you said is true, show me my letter and I will be convinced." S said to him, "I have looked for it and can't find it..... And behold, in my father's ledger of accounts which exists he has (listed) against you, (your) expense and account..." (223b)

As indicated, correspondence, as well as ledgers, had to be kept for a considerable length of time. Ledgers also had to be audited by reliable Jewish merchants from time to time. I am giving the summary of a probable response of Sadya (226a):
(22b)
A Jew died and his heirs produced ledgers and accounts and had them audited by reliable Jewish merchants. They also asked their opponents to produce counter accounts which would be in accordance with the proper business usage. (224a).

Business procedure permitted the correcting of mistakes of misestimated goods. (225) It is also evident that commercial announcements, whether of a private or civic nature, were regularly made in the synagogues, though, of course, it was forbidden on the Sabbath. (225)

Jewish merchants invariably had recourse to the Jewish courts. It was a great advantage for the business man to use

the Jewish court because its commercial code was uniform throughout the empire. Secondly, the Jewish court was more reliable than the average Arabic court. (227) However, where no Jewish court was available, Jews were advised to make use of the non-Jewish courts in order to maintain proper commercial standards. (228) Then again, while the earlier Geonim opposed the Arabic courts - for they were in the incipient stage, as time went on it became customary to use the non-Jewish courts together with the Jewish courts in the ordinary run of business transactions. (229)

c. Deeds and Contracts: In Gaonic days, the absence of regulations regarding production, type of material, quality of production, or fixed prices - all point to the fact that trade and commerce were of the laissez-faire type. The restrictions and regulations that did exist referred to matters of commercial integrity and procedure.

The business procedure in those days was based principally on the law of contracts. Contracts served as a means of self regulation in opposition to governmental regulation. (230) Jewish contractual relations were deemed binding, not only because of their inherent sanctions, but also because they were based on religious sanctions. As in Talmudic days, all business procedures were regulated and standardized by the contractual nature of deeds (Shtar). A deed was not considered legally binding unless it bore the verified signatures of the attested witnesses. If the witnesses could not read or write, they test-

ified orally before any Bet Din. (231) Copies of deeds were also made by court so that the copy might have the same authority as the original deed. Special copies of deeds were given out when a merchant went on a journey or when his original copy was lost, destroyed, or erased. (232)

For every type of commercial action, deeds were issued. Reference has been made to deeds of sale - of fields, of slaves, of the freeing of slaves, and of the various deeds of partnership. A summary of various other commercial writs utilized in Geonic days will be indicated, for through them one has a clearer picture of the manifold commercial relationships which existed.

(1) Deed of Exchange: This deed is proof of the fact that in some commercial relationships objects were exchanged or bartered instead of sold. The deed of Albarzeloni refers to the exchange of houses and courtyards. (233)

(2) Rent Deeds: In addition to fields - houses, courts and stores were rented by landlords for commercial enterprises. A deed of tenancy included stipulations regarding the absolute right of tenant over the place rented, the length of stay, the cost, and due notification of expiration. (234)

(3) Temporary Deeds of Title: Temporary deeds of title existed whereby a person received money as a free agent and promised to transfer it to the owner or to his agent on demand. The condition of the day doubtlessly made it advisable that such an instrument exist. (235)

(4) Loans: A special writ was issued in all commercial relations dependent upon the granting of loans and credit. The essence of the deed was Talmudic, except that the stipulation regarding collection on movable property was also granted. For fuller explanation of same see Chapter VIII. The deed contained a definite description of the type of money lent. In the ordinary note of indebtedness, the creditor could require payment upon demand, though it was unusual to request payment before thirty days. Usually, the time of payment was definitely stated. It was further indicated that the amount was to be repaid in the presence of witnesses and receipt demanded, or the note torn, or receipted on back. (235a)

(5) Mortgage Deeds: People pawned their lands and estates when they needed funds. Two ancient Talmudic forms were preserved. The first was used when the land or movable article was given only as a pawn, as an assurance that the debtor would make good. In this case, if the time for payment came and the debtor did not make good, its usufruct was deducted from the debt. In addition, the condition was made that the creditor could do whatever necessary with the pledged land in order to receive back his due. (236a) The other type of mortgage deed was one in which the debtor assigned some of his property to have the amount due collected. The land belonged to the debtor until the time of payment. If the debtor could not pay the creditor could sell the land without announcement or bids, as he was required to do in the former type. (236b)

(6) Sale of Notes of Indebtedness & Title Deeds:

For the expansion of credit, people doubtlessly found it advantageous to use the above mentioned instrument. The method was to deliver the notes to the buyer, writing a special deed for this acquisition. The essence of the sale was not the deed, but all the obligations which the note contained. The seller of the deed also indicated that he would not recant nor call back the debt that was sold and, if he did recant, he was obliged to pay the buyer of the deed the loss incurred. The last clause was necessary because, according to law, a creditor might cancel the debt. ⁽²³⁷⁾

A responsum of R. Hilai is available indicating that a note of indebtedness had precedence over any other account. ⁽⁸⁹⁶⁾ (238)

(7) Receipts of Settlement: As indicated previously, special care was taken in receipting payment. When, for some cause or other, the note of indebtedness could not be returned to the debtor, a special receipt was made. This was done lest the creditor demand payment again. Usually, an ordinary receipt was given indicating that payment was made, and that the debt was cancelled. (239a) Sometimes a special deed of settlement of all claims was given. (239b) If the debt was only partially paid, a partial receipt (239c) was made and transferred to a third party. Another means of settlement was by a Deed of Removal whereby the owner removed himself from ownership of any object. (239d)

Instead of complete cancellations of claims or debt, there were also compromise writs. These were issued when an individual had received a specified sum and later a settlement was

made. No counterclaims were possible in such cases. (239e)

(5) Power of Attorney & Trusteeship: As indicated, commercial agents were utilized to do a specific bit of work or to sue in court. The agent was permitted to sue in Jewish and non Jewish courts and to make all agreements and conditions with the defendants. The person giving the authorization accepted all agreements made, whether they were favorable or unfavorable to him. (240a)

Commercial relations also necessitated the instrument of the trustee. In a trusteeship, the two parties believed the trustee more than they believed each other. In the trusteeship writ, mention is made of the money the trustee received or the service he was expected to perform. The parties had no counterclaim against the actions of the trustee. (240b)

(6) Deeds of Protest: Protest writs were issued when land was taken unlawfully (241a), or when an individual was forced to do some business transaction against his will. In a protest, writ the party, before completing the business, declared before witnesses that he expected to go through with the transaction - but that he would annul this action at the proper time. The protests refer to the selling of an item below its value, to a creditor's being forced to cancel a debt in order to receive a small payment. (241b) For the annulment of protest writs, special documents were issued. (241c) A responsum accredited to R. Nathan Baon or R. Natronai Baon has reference to the custom of the buyer (241d)

of purchasing the protest writ. (241d)

(10) Collection Notes: The commercial contract system also provided for various types of writs and means so that the creditor might receive back the money he lent. All the forms indicate that the creditor was covered so as to encourage the granting of credit in general. The entire matter is quite complex and only the barest outline will be touched upon here in this study.

The first thing an individual did when he discovered that he could not pay his debt was to find a guarantor who would assume the amount of the debt. A guarantor or bondsman might also be required at the initial granting of the loan. The guarantor in general assumed the amount of the loan in case the debtor defaulted in payment. (242)

At times, the creditor might demand, instead of a general guarantor, one who would assume the debt unconditionally. The unconditional guarantor would agree to be sued first in case of default. (243) A responsum of R. Nahshon Gaon is available (874) indicating that the unconditional guarantor is held responsible for the debt he assumed. (244)

In case the debtor refused to pay the loan, the court came to the aid of the creditor in the collection of the debt. The court, in its assistance, made a distinction between the free and mortgaged property of the debtor. In case the debtor had free property, the court issued a writ permitting the creditor to trace the person's property for the purpose of seizure - to

have its usufruct. (245a) After the creditor took the land and the debtor still refused to pay, the court took the responsibility of selling the land. The court made a public announcement and gave the land to the highest bidder. The court, in return, paid the creditor his due. (245b)

If there was no free property, the court aided the debtor in endeavoring to collect from mortgaged property which was sold after the loan had been transacted. The court gave the creditor permission to seize the property sold, and to reappear in court in reference to the payment of debt. (246a) The court then gave the creditor permission to use the property or it agreed to sell the seized land through public announcement. (246b) If the debt remained unpaid, i.e. if no purchaser appeared in accordance with the assessment of the court estimators, or ~~people~~ refused to pay the amount demanded by the owner, the court transferred the land to the creditor to do with it whatsoever he could in order to receive back his due. (246c)

If the debtor had no free or mortgaged property, i.e. if he was absolutely bankrupt - the court made the debtor take an oath that he was bankrupt and declared a general ban upon all that knew or had any property belonging to the debtor. (247)

The expansion of the Jews in commerce lead R. Hai Gaon to write a special treatise in Arabic, a so called 'Handbook of Buying and Selling'. (248) He was desirous of advising all as to the attitude of Jewish law to commercial relations. This treatise

was translated into Hebrew by R. Isaac Albarzeloni (1078). The book, which is well arranged, and in good clear style, gives a systematic presentation of all commercial problems. Types of commerce are treated under sixty different headings. R. Hai invariably follows the Talmudic law, although occasionally he hazards a different opinion. (249a) He also occasionally differs from the attitudes of the earlier Geonim. (249b) A few purely theoretical questions (249c) are discussed in his work. R. Hai wrote other brochures of a commercial nature, one on oaths and another on the laws of money and exchange. (249d) Other writers were similarly interested in commercial topics. (249e)

CHAPTER V

CIVIL SERVICE, PROFESSIONS, ARTS

A. CIVIL SERVICE

1. The Role of the Jews in the Civil Life of Islamic

State: When the Arabs consolidated their state, they adopted the administrative system of the past maintaining, perforce, many of the same administrative staff. During the expansion of the Empire, however, they had to resort to the employment of Jews and Christians, for these were the possessors of the necessary skill, knowledge, and technique to carry on administrative affairs. (1) Dhimmies were found not only in subordinate positions but also in the highest offices of the Muslim state. (2a) Some of the non-Muslims, in order to rise to high estate, adopted Islam. (2) And it was only at the end of Abd el Malik's reign (701) that orders were given to change the language of the registers from Greek, Persian, and Coptic to Arabic. (3) In summary, under the tolerant Umayyads the majority of minor officials were non-Muslims and they were the administrative specialists of the day. Perhaps Braver's statement is not therefore an exaggeration when he says, "The Syrians and the Jews were the teachers of the Arabs in the art of administration as well as in economic and technical, scientific methodology." (4)

Under the Abbasids, the Muslim spirit hardened. Even so, the migration of the Jews to the new cities, and their growth

in wealth through trade and commerce resulted in their having greater power than the rural populace. (5) Naturally, many found their way into state service. The growth in the number of non-Muslim officials and their power resulted in periodic restrictions and outbreaks against the dhimmies by some fanatic rulers, eg. - Omar II 717-20, Harun 806-809, Mutawakkil 846-861. (6) During these periods of stress, many a Christian and Jewish official was put out of office. But, when the storm was over, those officials were welcomed back for, as indicated, the administration depended upon their knowledge and skill to carry on the government. (7) At times, the caliphs themselves disobeyed the very laws they enacted. (8)

Under the Fatimids, particularly the early ones, Christians and Jews were to be found in the highest as well as in the subordinate offices of the state. (9) A poet who was envious of the status of the Jews then wrote:

" The Jews of this age have attained their highest
 hopes and grown strong,
 Power is theirs and wealth, and from them is chosen
 the counsellor and king.
 Men of Egypt, turn Jews, I advise you for the sky
 has turned Jew." (10)

In general, as the centuries moved on and the Caliphate disintegrated, the dhimmie no longer held the position he had in earlier days. However, even in the east, towards the close of the Gaonate, the records indicate that dhimmies were found in state

service - much to the chagrin of the zealous Muslims. (11)

The number of Jews in state service was probably far greater than the number on record. The reason for this is twofold; first, many Jews adopted Arabic names and hence their positions, qua Jews, are not recorded; second, the historians, in writing about the non-Muslims in office, mention merely the general term, dhimmies, without indicating their particular religions.

The precarious autocratic office of the vezier, established under Abbasid rule (12) is recorded to have been held by four Jews, two of whom were renegades. (13) They were (a) R. Paltiel (b) Jacob ibn Killis (c) Sadaka (d) Amin b Ghozal. It is not necessary to make mention of the Spanish Jewish high officials, for their work is duly covered by Graetz. (14)

R. Paltiel rose to great heights under the tolerant Caliph, Al Moizz. (952) This was due, perhaps, to his help in conquering Egypt, as is indicated in the semi historical work of 'Sefer Yuhsin': " And after that he (al Moizz) went to war against Africa leaving his brother ruler in Sicily. R. Paltiel went up with him and there he conquered and his name rose to ever increasing heights, and he became vizier of the caliph and his fame spread throughout all the provinces." (15)

Jacob ibn Killis rose from the position of commercial agent to one of power in the Fatimid court. (16) It was said of him, 'If he were a Muslim, he would be fit to be a vizier.' (17) Later, in 978-9, he became vizier under al Aziz and held that position until his death in 991. Though renegade, he befriended his

former co-religionist. Under his fine statesmanship, Egypt enjoyed a long period of peace and prosperity. (16a)

Abu Saad, the Jew, and the mother (a former black slave whom he sold to the harem) of Ma'add were the powers behind the throne during her son's childhood. They deposed one vizier and appointed the renegade Jew, Sadaka, in his place (1044-47). Sadaka, finding Abu Saad's interference intolerable, turned upon his patron and had him murdered by the Turkish guard. (16)

Abu ud Dawia Abu l Hasan b Ghazal, a Jewish or Samaritan doctor, both cultured and wealthy, was also vizier for a time during the rule of Caliph Malik Salih. (17a)

The records indicate that several provincial governors

were Jews. Accassib b Ibrahim al Izz was the chief deputy of Vizier Nestorius under Al Azzaz (975-986) His authority as such extended over Damascus, Aleppo, Tyre, Sidon, and Hamleh. During his deputyship, he humiliated a number of Arab tribes and was kindly disposed towards the Jews, reducing their taxes and appointing many of them as government officials. Naturally his memory was cherished by the Jews. (18) In the east during the same period, a Jew named Husban was appointed (1000) Governor of Sivas. (20) In the period after the close of the Crusade, several other Jewish officials are listed. Abul Murejja was appointed Governor of the district of Lamezia. ^(see also note 200) In 1129, he built several synagogues which were named after him. (21) At El Isfif, on the east coast of Arabia, where the caliph had a monopoly of the pearl fisheries,

a Jewish official was in charge. (22) ~~In 1129, the caliph's son~~

~~digging canals later called by his name. (23a)~~

Because of their linguistic, commopolitan nature, Jews were often found in diplomatic service. Harun al Rashid utilized a Jewish envoy in his transactions with Charlemagne. (23) Moses (c 1050) b Joseph ibn Kashkid is recorded as having been a member of the embassy of Samson ad Daula which arrived at the Fatimid court of Cairo to obtain help in preserving Sicily for the Moors. (24) It is also noted that Jacob ben Sheara, (9th century) was sent by a Muslim prince to India to procure certain astronomical works. (25)

Then again, mention might be made of some influential and wealthy Jews who were factors in the Caliph's court. First there was the Resh Galuta, then the court physicians - many of whom were Jewish, and the powerful wealthy bankers and merchants. At the beginning of the eighth century, it is recorded that the scholars, Furat ibn Suhmata and Moses ben Israel, both of whom played great roles in the cultural life of Kufa, were influential factors in the court of the caliph. In the 10th century, Sahl ibn Natira and his son are recorded as having influence with the caliph's court, and aided their brethren in Baghdad considerably. (26) Since the wealthy courtiers did not actually make a living from the court, it is not necessary to expatiate further on this aspect.

One element that had great influence at the court was the financial department of the caliphate. Its head at times out-ranked the vizierate, and its local tax collectors had a great deal more power than the provincial officials. (27) In this

aspect of government life, Jews also participated. Mansur (754?)
(28) appointed a Jew, Musa, to be one of the two collectors of revenue. Ibn Allan, an influential Jew, is recorded as farming the taxes for the state. He was so wealthy that on one occasion the Caliph borrowed 100,000 dinars from him. (29)

The Jew, Sahl b Nazir, was a tax collector for several years after the death of Mutawakkil (c 850) which was followed by a lengthy period of anarchy. In this trying period, the Jew was able to keep his office by being personally helpful to the several contending parties. (29a)

In 975 Jacob ibn Killis, whose early and later history were noted in Chapter V Notes 16 and 16a, was designated as general land administrator together with Aslug. Ibn Killis abolished the tax farming system. These men were so diligent and industrious in their work, fixing the tithes and assessments, supervising the taxes and customs, controlling the wakfs, the poll tax and all other branches of revenue that the treasury became full. For this work Ibn Killis received a salary of 100,000 dinars. (30) It is also reported that a Jew held the position as commander of the port of Alexandria for a period of fifteen years. As such, he was also the collector of revenues there and in charge of the merchants that came from all countries. (31)

Records of Jewish katibs are scarce for the many state records have not been opened as yet. The fragments available indicate that the Jews were in the employ of the government as katibs or executive secretaries of boards. Adijah ben Menasse (32)

held an important position as Katib in Damascus. (33) The Fatimid state records report several Jewish katibs and diwanchefts. It may be indicated that the Karaites also had katibs and high officials who were influential in their behalf. (35)

In closing this section, it might be well to read from a letter of an imprisoned official (from the 12th century or earlier) whose father was commander of the port. It is evident that official life was not entirely a path of roses. One was always open to charges and had to do favors. People entered state service, on the whole, as a means of livelihood; some entered it because it offered an opportunity to serve. The writer's words speak for themselves: " And I have not done anything that they placed me in prison..... My deeds were not of an evil (nature) that I should earn all this. Nor will I praise myself (unduly) ... I was a father to the poor, eyes to the blind, and support for the lame... And all the good deeds I did for the Rabbanites and Karaites are known..... I did enter state service only in order that I be not dependent on man or take anything from a fellow Jew ... but (to be able) to support myself and to be of service to Israel." (36)

2. Officials of Jewish Community Life:

a. The Exilarchate and Negidim: The autonomous Jewish community of the Islamic world was headed by the Exilarch of Baghdad who was rich, powerful and an influential factor in the caliph's court. As the caliphate disintegrated into eastern and western sections, there resulted a similar dichotomy in Jewish

communal life. The independent caliphates found it to their advantage to set up independent political heads rather than have the Jews associated with the Baghdad Exilarchate. (37) The independent rulers in the western provinces were termed Nigidim. The first to be given that honorary title was R. Paltiel who ruled over Egypt, Palestine, Syria, Palermo and Ifrikiya. (38) When the Berbers rose to power in Ifrikiya, the Negidim divided into two sections - the Negidim of Egypt and Palestine and the Negidim of Ifrikiya. Similarly, independent Negidim developed in Spain. Many of the Negidim served in the capacity of physicians-in-ordinary to the caliphs. When the Karaites grew in power they, too, had their own Nagid in Fustat whom they pompously styled 'Prince of the Whole Diaspora of Israel'. (39)

All Exilarchs and Negidim held court as did the eastern potentates. Of course, the power and the wealth of the Baghdad Exilarch was superior to all. He lived in a castle, rode in chariots, and had special body guards and messengers who ran before him. (40) In addition to his personal officials, there were the (40a) numerous tax officials, scribes, and messengers that went with the Exilarchate. The Exilarch also held a supreme high court for civil cases, termed the court of authority (41) which were invariably headed by Jewish scholars. The Exilarch's office in Babylon was in the hands of an oligarchy, and often there was strife as to who was to gain the power and glory. At times the office was sold to the highest bidder at the caliph's court. (42)

b. The Gaonate: The hegemony of the school

b. The Gaonate: The hegemony of the schools was maintained by all Jewry in all parts of the Islamic Empire. (43) The schools must not be thought of merely in the sense of a university, for ~~throughout~~ its Geonim - who were the acknowledged spiritual leaders of all world Jewry, had the power to levy taxes and to appoint communal officers. The relative importance of the Geonim varied. Generally, those of Sura were the more important. (44) In the latter half of the 11th century, the schools became weaker because of general disintegrated conditions in the east. In the meanwhile, other academies had been established in the west although the old academies continued to influence Eastern Jewry in ~~the~~ ^{the} east.

The academies fulfilled several important functions.

- 1) They served as a university of higher studies for the selected portion of all lands. Four hundred accredited students, in addition to the many who merely listened in, attended. 2) It served as the supreme court in answering difficult religious questions.
- 3) It served as a public extension university during the Kallaḥ months of Elul and Adar. Students from all lands came for the special courses offered. 4) They also maintained supreme courts for the judgment of civil cases. 5) They each had definite areas from which they collected taxes and over which they appointed officers and judges. A full discussion of the taxation system will be given in Chapter VII.

All the varied functions have been indicated in order to point out that the Gaonate was a powerful economic institution. It gave the scholars, the officials, and the students attached to it a means of livelihood. The Gaon, himself, received a stipulated salary in addition to one fourth of all the donations. (45) Each scholar had both his duties and his salary clearly defined. (46) The elder scholars gave decisions and the younger ones summarized them while there was a special cohort of instructors who taught the Talmud. (47) The academies had their own scribes and messengers. Their tax collectors were termed 'Collectors of charity - faithful ~~treasurers~~' (48a) A central office for all western communities was maintained in Fustat. (48b)

The type of student body itself changed as time went on. As long as Jews were engaged in agriculture and the students did seasonal work, they probably obtained sufficient for their needs. (49) When the majority of Jews began to engage in trade and commerce, it was not so difficult to find seasonal work and most students received their regular stipends from the bursar of the academy. The words of Nathan Ha Babli are worth reporting: " This was (91a-153) their method of division of all that they received annually from the vows and contributions. All is put in the hands of a trustworthy individual for the necessary expenses of the students who come from all localities..... And when they see that one of them has not learned his studies well, they make it more difficult for him and they diminish his stipend and they call him down and reprove him and advise him as to his weak spots. And if he fails in them again, they adjure him and warn him that if this happens

again - and he does not put his heart into his studies - he will not receive anything at all." (50)

c. Dayanim: Both the Geonim and the Exilarch appointed dayanim or judges in their various spheres of influence. The diplomas given to these dayanim indicate that they were not only civil judges concerned with the civil questions of the community but that they were also the spiritual leaders, in that they had full authority over religious questions and moral standards. (51) The Dayan, upon coming to his sphere of jurisdiction, selected two elders of a community and all three formed a Bet Din. (51a)

The qualities needed for a dayan's position may be learned from a fragment wherein R. Hai Gaon outlines the specific qualities (1025) that Ephraim of Gaza and his opponent had for the position: " This one is alert in all matters concerning the community, as in the care of being held responsible for the taxes, for gifts for officials, and calling upon the great officials at the residences. You also know how to arbitrate and restore peace in lawsuits. ~~But the other man~~ However, he is too impatient to weigh judgment, nor does he know how to handle the officials, the rulers, the katibs, and the tax collectors....." (52)

As for the salary of the Dayan, Nathan Ha Babli gives (143-153) us an account of the custom in Babylon: " This is the established rule - that the Dayan receives from all the people of the locality that are twenty years or over - two dinars annually, one on Passover and one on Tabernacles. And from marriage deeds, divorce

writs, notes of indebtedness, gift writs and bills of sale - the owners have to pay four dinars and a third in Arabic weight..." (53)

In other communities it may be assumed that provisions for the Dayan's salary and the budget of the Bet Din were made from its public funds. (54)

The Bet Din had two distinct economic duties. In the dispensing of justice over all monetary disputes, they aided the debtor in the collection of his debts. (55) They also safeguarded the interests of the orphans and were therefore known as the 'fathers of the orphans'. The Bet Din demanded from the guardians reports as to how they fulfilled their tasks. In case an orphan had no guardian, the Bet Din appointed the necessary guardians by special writ. (56)

The work of the Dayanim was supervised by the elders of their localities, as Nathan Ha Babli reports...." And if the appointed Dayan was righteous in his ways and honest in his judgments the elders of the locality and its respected members wrote the Exilarch and praised him. And if it occurred, the Lord forbid, that something was the matter with him and if they discovered anything with which he could be reproached, they would write to the Exilarch and to the heads of the academies (regarding) the individual, how corrupt his deeds were and how repulsive his ways. They would (then) remove him and appoint another in his place." (57)

The attitude of the Geonim was to remove all officials who were immoral, irreligious, or abusive of the power they had. (58)

d. Scribes and Secretaries: The judges of the community appointed the scribes who were the guardians of the records and the only authorized individuals to write the necessary deeds for all civil and religious life. These scribes received a stipulated annual salary. (59) The amount to be paid for the writing of the deeds was stipulated, as indicated in the previous section. "If one was poor and he could not pay the allotted amount, the scribe took as much as he could give, with the consent of the Dayan." (60) Furthermore, "whoever had a writ made in secret, he was excommunicated, fined in order that he pay the amount for the deed, and punished physically." (61)

Even as the Exilarchate had its secretaries (62), the academies had theirs who were always named after the Abp Bet Din. Similarly, the supreme courts of the Gaonate had their scribes who were termed 'scribes of the court'. (63) Then there were messengers of the academy who supervised the records of the local communities and aided the academy in collecting contributions. (64) It seems that some Geonim had their private personal secretaries who took care of some of the duties of the Gaon. They seemed to have taught and engaged in works of charity. (65)

Other scribes were merely calligraphists, copying scrolls, books and records. One may assume that these copyists barely eked out a living. It is reported that Abraham b Sahal Tustar in Egypt employed Tobias of Constantinople to copy some books for him. The scribe complained bitterly of his meagre income for it was difficult for him and his family to get along on the salary granted. (66)

e. Other Officials: The Bet Din also had police

oversers who saw that its commands were executed. (67) There was also a constable or Shomer who was probably in charge of the meat market. One other official connected with the Bet Din was the interpreter, ^{known as} al-mutawassil, who explained in Arabic the meaning of the Hebrew - or Arabic formulae occurring in the legal documents. (68)

Another civic official listed is the official of the merchants. This official was probably the Inspector of the bazaars. One cannot tell from the evidence available whether this was his only duty. (69)

Letters were usually sent by the state post, particularly in the hands of traveling merchants. One fragment is available indicating that special dispatches were sent from Alexandria to Beirut in 1027 by means of a special postman. The messenger received one and a half dinars for his services. (70)

An officer of the synagogue was the carrier of letters.

In Talmudic days, the Head was both an officer in the synagogue and a member of the court. In Arabic days, the Head's work became more limited. He became the Jurist and Payser. Many of the Headmen were scholars and authors of books. (71) Other men listed are the Singer or Menhorer and the Acolyte. (72a)

Other officials connected with the community, and who were only honorary officers and not salaried, were the leaders of the communities, the Head of the congregations and the Parashim. The office of Shomer was possible only in large cities where there were many congregations. The Head of the congregation corresponded

ed to the elder of the synagogue. The Parnassim were the supervisors of charity and trustees of various legacies of communal benefit. (72)

f. Jewish Teachers - Civic & Private: The educational system had a double barrelled aim: one was the education of the mass in the elements of religion, ethics, and knowledge; the second was the preparation of students for the higher academies. All public education was limited to boys. The elementary school was probably connected with the synagogue. A special pedagogue (Melamed) was appointed in the various communities. The monthly wages they received being meagre, they were given additional stipends in the form of gifts from the parents of the children. (73) Some elementary education was offered by teachers who ran private schools. The rich, as always, had private tutors in their homes.

Ginzberg has translated a responsum in reference to the dismissal of a teacher as a result of unwise administration of corporal punishment. It reads: "Children naturally can be taught with the help of the ferule..... Therefore, small children and even big ones, if they are naughty, must have it applied to them. It does not matter when the children are healthy, if they are caused considerable pain. But, if the teacher uses the same method with the delicate children, he is a barbarian and he should be warned not to do it. If he persists, after two or three warnings, he should be dismissed." (44)

In addition, there were the secondary schools maintained

by private individuals where students were prepared for their academic work. In these academies, special books were prepared so as to initiate the student into the intricacies of Halachic law. (75) During periods of stress, these secondary academies were frequently closed. (76) It is not necessary to indicate the place of the new academies in the diaspora lands towards the close of the Gaonate. It is evident that not all the instructors of academies were poor. (77)

In closing this section, it might be mentioned that the commercial organization of Babylon served as the model for the Jewish communal organization of later years.

B. Jews in Medicine

Jews were motivated, in the past, to study medicine for two reasons. First, the care and cure of the sick was an honorable and well paying profession, which was often handed down from father to son. Second, some aspects of medicine aided the Jew in living in accordance with the Jewish religious laws of the day. Even in Talmudic days, it is agreed that Jews were intimately acquainted with the structure of the human body and were not far behind the Gentiles in this field. (78) The great number of references to Jewish physicians in Gaonic days leads one to the belief that the study of medicine was considered next in importance to Jewish studies. Jewish physicians were well received, not only by their own co-religionists, but by the general populace as well. They were particularly favored by the court and the nobil-

ity because it was known that they were reliable and could go back to the original sources. The Jewish physicians, as a group, were interested in investigating all aspects of medicine, and in adding their contributions to the other sciences of the day. Their interest in their own profession and the sciences did not deter them, however, from playing a significant role in Jewish communal life. (79)

References to this section are primarily from secondary sources. One responsum of R. Sherira's days is in reference to curing patients or animals during the Passover period with leavened cooking. It was necessary to give them that food because if they ate unleavened foods, their lives were thought to be endangered. The Gaon insists: "..... however only at the command of an expert physician or experts who say that they have no cure except by this means, and if he doesn't eat that his life is in danger." (80) The reference to an 'expert physician' brings to one's attention the fact that many cures were made by herbs and amulets - but in view of the fact that the many who cured through these means were not bona fide physicians, this section will not deal with that aspect.

Under the Umayyads, there came forth from the scientific academy of Jundeshapur many learned Jewish and Christian physicians. We are not aware of who they are because they invariably adopted Arabic names. (81) As early as 680 the Persian Jewish physician, Masarjawaih, translated from Syriac into Arabic the important 'Pandects' of Ahron. The same individual wrote two medical

books. (82) Ismael is another Jewish physician who was a contemporary of the famous poet Ibn al Rumi. (82a) The Jewish physicians in Alexandria were held in greater esteem than the Nestorians. (836) It is recorded that Caliph Moawiyah (661-680) was attended by a Jewish doctor. (82b)

During the first century and a half of Abbasid rule - known as the age of translations - the Persians, Christians, and Jews brought the science of the ancient world to the Arabic world. Greek and Syriac works were translated either directly into the Arabic, or first into Hebrew and thence into Arabic. Under the patronage of the Abbasid caliphs, the Jews made some of their finest contributions. The famous Jewish physician and philosopher, Yakub b Ishak of Kinda, was the favored physician-in-ordinary of Al Mansur. (83) An interesting witticism is reported of him. (754) One day, in the presence of the caliph, he took a seat higher than that of the leading Muslim. The Muslim said, 'Why do you, a Jew, sit above the scholars of Islam?' Yakub replied, 'Because I know what you know and you do not know what I know.' (83)

Ali ibn Rabban, who was either a Christian or a Jew before becoming the personal physician of Caliph al Mutawakkil (850), was the teacher of the great Muslim physician, Rhazes and added to the medical science of his day by his contributions to medicine and natural philosophy. (84) Ali ibn Sahl al Tabari was another physician who, in the 9th century, entered the services of caliphs after becoming converted. (85) Masudi reports that the Jewish physician of Ibn Tulun (868-84) had a disputation with a Copt

and a Jacobite Christian. (86)

In Kairowan the Jew, Ishak ben Iram, was physician to Ziyadat Allah II, while his pupil, Ishak ben Sulaiman, founded there a school of medicine. (87) ~~Mansur-Sulaiman, physician~~
~~Albertus Magnus, physician~~

The Golden Age of Arabic science was during the period 900 to 1100. In this period the Jews together with the Muslims worked for the advancement of science. The great Jewish physician of the age was Isaac Israeli (89a) He was court physician to Ziyadat Allah III (903) as well as to the first Fatimid Caliph, Mahdi Abu Mohammed. (909) Isaac Israeli evidently had Jewish assistants. (89b) He was interested in all sciences and particularly in opthalamia. His lectures attracted a large number of students and his works (89c) were considered by Islamic Physicians 'more valuable than gems, more precious than gold'. His work on 'Urine' together with the commentaries of C. Africanus, is studied today 2 in the School of Medicine of the University of Vienna. (89d) The last work mentioned, the 'Guide for Physicians', contains some apt aphorisms. (89e)

Abu Sahal Dunash ben Tamin was the famous pupil of I. Israeli. (90a) This physician was the medical adviser of the Fatimid Caliph, Mansur Abu Tahir Isma'il, (945). In addition to his works in medicine, he was known for his Jewish scientific studies and for his correspondence with Hasdai ibn Shaprut, the court physician and minister of Cordova. (90b) Hasdai, in his younger years, translated into Arabic - with the aid of Nicholas, the monk - the 'Materia Medica' of Dioscurides. (91)

Under the Fatimids, Jewish physicians served both the court and their co-religionists. At the court of Al Moizz (975) the Jewish physicians, Musa b al Razzan and his sons, Ishak and Ismael, are recorded. In fact, even his grandson, Jacob ben Ishak (1050) served the court and was the elder of the Jewish community of Fustat. (92) Another court physician of prominence was Musa b Jacob b Isaac (1030). (93) Several other great contemporary physicians of the period were Abu Zekarah ben Zadû, Isaac Ha Cohen ben Furat, and his son Abraham (1050). The latter were pillars of strength to the Jewish community. (94)

Jewish physicians held great power in Jewish communal life and their support was sought in the political civic controversies that arose. Abraham ben Ali, an important Jewish physician of Kairowan, once befriended Natan who endeavored to start a rival Gaonate in Palestine in the 11th century. Whereupon, Solomon ben Yehudah, the Head of the Academy, wrote him and, indicating the state of affairs, advised him of the ban placed on Natan and urged the physician not to receive any further correspondence from him. (95)

As indicated, physicians were not only students of general science but were also exponents of it, owning, as many did, large libraries, eg. see Chapter V Note 18a. Another instance is that of the physician, Ephraim ibn al sa-Faran who, at his death (1068), left more than 20,000 volumes. He was noted for his manuscript collection of which he once sold 10,000 copies. (96)

In the course of the Islamic, Jewish physicians were as prominent as in the earlier periods. Benjamin reports of a Jewish physician in Damascus who participated in the life of the Jewish community there. (97) In Baghdad, in Cairo, and in Spain - the number of Jewish physicians grew. (98) Abu l Barakat Hibatulla, ⁽¹⁰⁶⁰⁻¹¹⁷⁰⁾ the Jew, was called the solicitor of the age. (98a) As indicated previously, it was customary for children to adopt the professions of their fathers. In the genealogy of the Egyptian Magid, Samuel i Rumayyat, the court physician of al Hafiz (1130), it is indicated that the profession was transmitted from father to son. (99)

Court physicians, though not subject to intrigues as much as were other officials, had too be very wary as is indicated in the following tale: "In Hafiz (1130) wished to bring about the death of his two sons. He had no other choice but to call on his Jewish physician, Abu Mansur and his Christian physician, Abu Hisham. The Jewish physician swore by the Koran that he did not know how, allegedly, to prepare such a drink. The Christian was less thoughtful and prepared the poison. That same year it is reported that the sultan executed the Christian physician and he raised Abu Mansur to the position of chief physician." (100)

II. JEWS IN SCIENCE AND ARTS

1. Role of Jews in Islamic Sciences & Arts: Though the other scientific fields have as yet not been fully investigated, Steinschneider's assumption that the Jews participated in every aspect of intellectual life holds. As indicated, the Jews and

Christians were welcomed at the scientific schools of Jundeshapur, Baghdad, and Samarra, not only because of their knowledge but because they could investigate the works of the ancients and transmit them to the Arabs. (101)

The number of Jewish men listed in the secondary sources as engaged in the sciences and arts is very meagre thus far. Perhaps it is because there were only a very few interested in these aspects of work and study; or perhaps the general adoption of Arabic names by Jews working in scientific fields has left us no trace of their contribution.

A Cambridge Genizah fragment letterhead mentions the forwarding of a letter to 'Abu Amir Salhan Rosh Kallah to Fustat in the shop of Barhon, the Apothecary'. (102) Chalid Hebraus, an Arabian Jew, was the oldest writer on alchemy of the Arabian period. His work (103) was greatly admired by the Arabs.

Mas ha'allah, the Jewish astronomer of Al Mansur, wrote several works on astrology, on the astrolabe, and on meteorology. He also aided the caliph in drawing up plans for Baghdad. (104) Jacob ibn Tarik, another court astronomer of Caliph Al Mansur, is reputed to have made the first astronomical tables which he acquired from the Indian. (105) The famous Rabbi Sahal al Tabari, the writer of many scientific works under al Ma'amun, is noted particularly for his translation of 'Ptolemy's Almagest' which is the basis of all astronomical science; and he is reputed also to have discovered the refraction of light. (106) Sind ben Ali, the arithmetician and astronomer who became converted to Islam,

drew up important astronomical tables and constructed the first observatory in Baghdad. (105)

Jacob ben Sheara, who went to India, to acquire astronomical instruments - see Chapter V Note 25 - is reported to have brought back with him the decimal system. (107a)

The Jewish literature of the period is meagre regarding the scientific work of the Jews. The 'Chronicle of Animaaz' traces the rise of R. Paltiel to power because of his knowledge of astrology and his favorable horoscopic reading for Al Mo'izz. (108) Benjamin reports that at the head of the Jewish community of Tiberias was R. Muchtar, the astronomer. Another leading Jew of Mosul, R. Joseph burhan al Falk, was the court astronomer of Sin ad - din. (109) R. Petachya reported that "at Nineveh there was an astrologer whose name was R. Solomon. There is among all the sages and the land of Assur none as expert in the planets as he." (110)

The astrolabe on which Mas'ud'al-'Adhri wrote an Arabic treatise, is referred to several times in the Geonic responsa. R. Hai Gaon, in describing the sight tube of R. Gamliel for measuring distances, explains it as a portable primitive astrolabe. (111) In view of the interest of Jews in astronomy, it is not strange that it is reported that, in the making of the Toledo Astronomical Tables in 1080 under the auspices of Ahmed ibn Zaid, twelve Jewish astronomers participated. (112)

In geographical science the Jews followed the Greco-Arab tradition. The Jewish travellers such as Eldad, the Danite who visited Arabia, the Badanites, Benjamin, and Petachya

and also the Jewish emissaries, Jacob ibn Sheara who visited sections about the equator, and Abraham ibn Jacob who travelled from Cordova to Germany - all these contributed to the geographical knowledge of the day. Geographical places and questions were discussed by Saadya Gaon, Natan Ha Babli, Chasdai ibn Shaprut, Sherira, and Josephon and others. (113)

The Jews of the Gaonic age were a literate and cultured folk. In addition to the copyists, scribes, and translators - there were doubtlessly others who added to the culture of the age. Tritton remarks, "During the early centuries relations between Arabs and their subjects in the sphere of letters and arts were very friendly." Many of the Arabian Night tales were chosen from Jewish sources - doubtlessly by the Jewish literati. (113) The Jews were also responsible for giving the first translations of the Indian fox fables to the Arabic world. (114) Saadya's translation of the Bible into Arabic enriched the culture of the period. In addition to their own translations, the Jewish scribes preserved many literary productions not to be found anywhere else. (115) As for philosophy, it is an established fact that I. Israeli and Ibn Gabirol directed Arabic thought along Aristotelian and Neo-Platonic ideals. (116) For other poets and writers who are as yet undated see Note 117.

2. The Artist in Jewish Life: In addition to the various craftsmen mentioned in Chapter III, inner Jewish life made it possible for special craftsmen or artists to make a living

through the arts. Indications of same have been given in reference to architects - Chapter III Note 105a - , silversmiths - Chapter III Note 78 -, and textile art weavers - Chapter III notes 51 & 54. The artists in Jewish life were greatly influenced by the general artists of the era.

The making of seals for the Geonim and the Exilarchs called for skilled craftsmen. Ibn Daud reported " And I have seen his seal (of R. Hai Gaon) sealed on scrolls that he forwarded and a lion was engraved upon it as on the banner of the camp of Judah and on the banners of the kings of Judah." (116)- Comp. Ch. III N. 77

Jewish musicians were employed both in the synagogue, at homes, and at banquet houses on festive occasions. R. Petachya reported that the saying of Psalms on the half holidays was accompanied by musical instruments. (119) R. Hai Gaon censured the use of all reed and string instruments played at banquets and weddings. (120)

Two important artists of Jewish life were the scribe and the illuminator. The scribe's (ie. the Torah scribe) work was definitely regulated as to the type of parchment - see Chapter III Note 96, and the number of lines that could be written on a single column. (121) Ernst Cohen Wiener, an art critic of note, says: " The scribe was one of the earliest artists. In those days when all books were written by hand, their esthetic feelings were expressed in estheticizing their script..... The work of the Jewish scribes in Egypt and Syria (c 900 C.E.) is indeed of classic beauty...." (122)

The illuminator was an artist who entered Jewish life in later Gaonic days. (123) He wrote headings or initials in gold upon colored backgrounds. Special borders were utilized for special portions of texts, like the song of Deborah, or the Blessing of Moses. At times only black borders were used, and on one occasion the borders consisted of five lines in blue black and one in gold. (124) In another manuscript the margin was surrounded with circles and bands of gold. (125)

Another part of the illuminator's work was the initial full page illuminations and the illuminations in spaces between opening and closing sections of chapters. (126) The illuminations in Seder Ioden 150 consist of rosettes, some of which are filled with gold, circles and small blue ringlets, stars, and polygonal drawings - all of which are carefully worked out in the finest manner. The illumination in Seder Dofex 151 consists of geometrical figures, spirals, and large flowers in gold and dark blue. In describing the illuminations of a Pentateuch of Solomon Halevi Barbağa, E. W. Cohen says: "The style of the Pentateuch compares favorably with the art of the Mohammedans. The style is remarkably severe. The central design is geometric, being encased in the types and patterns of ornamentation current in the period. The drawings are always expressive of the text. The illustrations of the Temple utensils are fine..... The empty spaces are filled with tendrils of the early Islamic ornamental style."

People owning books or scrolls had their names engraved on the frontispiece in gold letters bordered by triangles and

circles. Three such ornamental frontispieces are available in the Leningrad Library. (127) Precious books and manuscripts were covered with fine bindings and fastened with buckles. (128)

CHAPTER VICONCLUSION

In the Gaonic Age, the Jews under the Caliphate participated completely in every type of economic pursuit. As dhimmies, they were welcomed by the state for their tribute and their services, in return for which they were given the opportunity of being fully integrated with the economic life of the country. That particular arrangement was very satisfactory, for under it the Jewish autonomous cultural and religious life made rapid strides.

From a study of the sources, the attitude of Sombart is completely disproved. He glibly states: "Throughout the centuries Israel has remained a desert, nomadic people - either by process of selection or of adaptation.... The constant insecurity of their position made it impossible for them of settling down on the soil. As a matter of fact, they seldom had any inclination that way. All we know of Jewish life in the Diaspora points to the conclusion that only an insignificant number of Jews devoted themselves to agriculture in those lands where no difficulties were placed in their path....." (1) In the early days of the Gaonate, agriculture was the main type of economic endeavor. All wealth was thought of in terms of land and agricultural produce. The majority tilled a bit of soil of their own or were tenant farmers, raising grains and orchard fruits. Those who had any funds at all invested it in land. They did not participate, however, to any great extent in cattle raising. In the middle of the 9th century, there was a marked

decrease in agriculture in some sections. However, it still remained the main source of livelihood for many. The responsa and the literature from the 10th through the 12th century definitely prove that, in many sections, Jews earned their living from the soil in the cultivation of fields and vineyards. (2)

The Jews were not nomads by predilection, nor did they lack the inclination to till the soil. They were forced to leave agriculture in Babylon because of the state's neglect of the irrigation system and because of the onerous and unfair tax system. (3) Two other factors that hastened the process were the weakening of the central power and the role of slave labor. During the 9th and 10th centuries, many generals became independent lords, breaking up southern Persia and Babylon into a whole series of petty, independent states. The central government was powerless against the military feudal lords, the great landowners, and the tax farmers who pauperized the small tenant farmers. Concomitant evils were fines, raiding of settlements, billeting of soldiers, confiscation of produce, and exiling of farmers. (4) The use of slave labor by the great provincial landowners hastened the economic decay of the independent farmer. (5)

It has further been proved that Jews entered every type of craft work. When many were forced to leave the farm, they tended to enter those trades which were the most easily accessible. It is likely that the existence of some Jews in the textile and metal trades encouraged the dispossessed members of the family to adopt the same trade. As the silk industry developed, many Jews

found their livelihood in that field. It is evident that Jews adopted the industry of the locality, and entered those in which the competition was not keen. Those who could not enter the skilled trades, and had no capital, became manual laborers and pedlars. One may presume that a great number of people eked out merely a living wage. Since the masses were not very articulate, they have left no records of their plight and status. One can assume that they were not exploited, in the modern sense of the term, because of the strength of the guilds and because of the protection of the Jewish civil code of the mass. (6)

The fragmentary material further indicates that the skilled Jewish craftsmen were as much interested in creating works of art as were the other artists of the period. Particularly famed were the workers in silk, in glass, and in metals and also the architects, scribes, and illuminators. (7)

The Gaonic Age was a period in which there was a great change from a natural economy to a money economy. This change was brought about by the expansion of trade and commerce. The Jews, who were forced to leave their estates, came to the large cities and became the entrepreneurs of the day. The additional protection given by the Jewish civil law, together with their linguistic assets, gave the Jews a definite advantage in commerce. The Jew was given his great opportunity because circumstances made him the intermediary between Islam and Christendom from the 7th

through the 11th century. (8)

In this period of expansion the Jewish merchant found his way to India, to China, and to the northern lands. The disappearance of the Hasmonees did not mean the elimination of the Jew from Eastern and European commerce. Indeed, the numerous fragments of the later Second age prove the opposite. (9) The North African trade route was particularly frequented. As for sea trade, it has been indicated that as early as the 5th century Jews were extensively engaged in maritime and river trade. They were particularly active in the trade of the Mediterranean - between North Africa and the Spanish coast towns, in the Red Sea and also with India. (10)

Jews participated in local trade as well as in international commerce. They sold at fairs, and at the open and closed markets. In Egypt and along the North African trade route, Jewish pack peddlers were not a rare sight. (11) The chief products of exchange were textiles, grains, cattle, flocks and spices, drugs and dyer, precious metals, and books.

The increased activities of the merchant brought into prominence the banker and the investor. Many investors provided funds for numerous private ventures that were undertaken. From the 10th century on, the Jewish banker appears to have played a significant role in all lands of the Caliphate.

Another trade in which Jews played a great role was the slave trade. From the 7th through the 10th century, the Jews

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were the sole intermediaries in the transportation of the slaves of Europe to the Muslim world. Business connections of the Jews of the Orient with their co-religionists of France and Germany rebounded to the benefit of both. (13)

Schiffman's theory is - that it was the Jews of the west that had commercial relations with the Orient and not vice versa. This appears too equivocating. (15) The response definitely proves that Jews of Muslim lands were constantly travelling, by land or sea, for various business purposes. The fragments of the Banizah further prove that businessmen discovered it advantageous to have various members of the family settle at different ports, or even live in different parts of the interior.

Caro's statement that the Jews in the Parthian Persian Empire followed the same industries as did the rest of the population can be amended by saying that the same state of affairs held throughout the Geonic Age. His insistence that changes in economic life cannot be explained by any innate tendency is correct. His statement that "The change first arose in lands that were in a primitive economic state - where they were called in to fill in certain gaps in its economic life" is only partially correct. (14) Jews had to become first merchants and bankers before they could be invited in. That change took place in the middle of the Geonic Age.

Very !
Sombart's attitude that the ethnic fabric of the Jewish people is responsible for capitalism, hardly needs any comment. In a similar vein, some writers accuse the Jews today as being

radical ethnically. The responsa literature indicates that the Jews in the Muslim world were merely conforming individuals, participating in all economic pursuits. Sombart's detailed analysis as to the objective causes for Jews entering commerce is only partially correct. The elements that are correct are those that have reference to the Dispersion of the Jews, and their linguistic abilities. His statement 'that the Jew had a double code of ethics - one for the Jew and the other for the stranger.' is entirely wrong. The responsa literature proves that the Jews were requested to be as careful in their relations with non Jews as with Jews. His further statement 'that the Jews endeavored to win power and respect by gold' is also incorrect. (15) The Jews did not seek the power; they had the power when they came from the east because of their accumulated wealth. "Coming from the east, they introduced the money economy into Europe." (16) The same conclusion was arrived at by J. Jacobs who said, "Jews helped in the transition from a barter economy to a money economy, in view of their great wealth towards the close of the Gaonate." (17)

Sombart also held the Jews responsible for extending the machinery of foreign exchange through their forms and their impersonal credit instruments. (18) Jewish forms of commerce doubtlessly did influence the commercial forms of the Middle Ages, as did the obligation forms of the Levant 'synographs and chirographs'. (19) In reference to the entire problem of credit, the responsa of the period indicate that the Jews developed a whole series of credit instruments. The sale of title deeds, and the sale of

of indebtedness definitely resulted in increasing credit. The forwarding of money orders instead of money, although frowned upon by the Geonim, also augmented credit relations. (20)

Hahn's attitude that the Jews had a tendency towards second hand trade and money lending need hardly be considered. His further statement that the Jews refused to participate in the new economy of industry and retail town business, is also entirely fallacious. (20a) The study of the responsa indicate that Jews traded at fairs and in markets (both Arabic and Christian). In fact, the very reverse is true. Gaonic civil law made the necessary changes in adapting itself to the economy of the day. The collection of debts from movable property, the widening of the scope of the agent, and the power of attorney, and the taking of oaths by bankrupt debtors indicate how the very law was cognizant of the changes that had come about in economic life. A summary of the problem of credit and interest will further indicate how adaptable the Jewish law and Jewish business practices were in the modified milieu. From the 9th century on, when merchants, bankers, and investors had fully adopted the money economy, debtors increased and often had little property to pledge. For the risk involved, bankers and investors resorted to various devices to obtain interest. There was a tendency to charge for loans, for credit sales, and for speculations. All these methods were not permitted by the Geonim. The type of credit they advocated was the silent partnership basis. The legal fiction of the right of repurchase was condemned by them.

As mentioned previously, the Geonim were on the whole liberal rather than strict constructionists. They permitted all legal fictions so as to save an individual's property from destruction by natural causes. The Gaonic law tended to protect the weaker in commercial arrangements. It was their concern, in this respect, that must have made the lot of the proletariat more bearable than that of the non-Jew of the same estate. Of course, the Geonim were careful that every group be treated equally by the law. They were careful of the property of the community, and of the rights of the capitalist as well as those of the laborer and the craftsman.

In agriculture, crafts, and commerce - the Jews had extensive economic relations with the Muslims. Gentiles were often their partners, their agents, their tenant farmers, and their laborers - in addition to being their creditors or debtors. The responsa indicate that they were as well off as the rest of the populace - for they rented them cattle, olive presses, mills, bathhouses, and ovens. The fact that the Geonim did not consider the Arabs as image worshippers facilitated freer business relationships with them. (21)

Relationships were made easier as a result of the fact that the Jews were among the cultured folk of the land. They were the physicians, scientists, and literati of the age. They were also found in Muslim state offices, serving as high and low officials. In addition, every Jewish community had a great number

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of officials who made livings from the autonomous life of the Jewish group. The readiness with which they supported their institutions, the immediacy with which they transacted the cooperative are indicative of the fact that the Jewish communities were fairly well off.

The fact that many were wealthy or became wealthy served as sufficient reason to burden them with heavy taxes and impositions. The onerous taxes, the maladministration, and the internal civil wars resulted in the merchants ever seeking higher profits and new markets - and ultimately in their finding new ones in other parts of the world.

NOTES

Chapter I

1. Islamic Civilization Vol. II, Ch. I and II. Translation by K. Bukhsh.
G.H. Becker, Origin of Islam and Islam as a problem.
2. 2a. -
Arnold, Preaching of Islam - p. 46.
3. S. Lane Poole, The Mohammedan Dynasties, p. 4.
4. Thompson - Ch. VII.
5. Thompson - Ch. VII.
6. S. Lane Poole, Mohammedan Dynasties - p. 5.
7. Thompson - Ch. VII.
8. Cambridge Medieval History, Vol. IV - Ch. X, pp. 274-278.
9. S. Lane Poole, Mohammedan Dynasties - pp. 39, 71, 7.
10. S. Lane Poole, Mohammedan Dynasties - pp. 7-8, 123-4, 139-140, 149.
11. See note I.
12. R. Levy, Sociology of Islam, - p. 95.
13. Mez, Renaissance of Islam, pp. 28-33.
14. Bukhsh, Renaissance of Islam; Islamic Culture, 1928 - p. 262.
15. Mez, Renaissance of Islam - p. 39.
16. Mez, Renaissance of Islam - pp. 40-41.
17. Bukhsh, Renaissance of Islam; Islamic Culture, 1928 - p. 268.
18. Mez, Renaissance of Islam, - pp. 28-33.
19. Bukhsh, Renaissance of Islam; Islamic Culture, 1928-p. 162.

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10. Dr. Sachau's notes.
11. Reports of Mr. Lewinsohn.
12. Engelbrechte Judaea, Babylonian - pp. 905-6.
13. Mann, Response of Babylonian as Source of Jewish History. J.S.S., New Series. (vol - page)
14. Engelbrechte Judaea, Babylonian - pp. 906-7.
15. Tristram, Calicut and Non Moslem Subjects - pp. 329-333.
16. British, Renaissance of Islam; Islamic Culture 1925 - pp. 254-5.
17. Mann - I. - p. 35.
18. Cambridge Med. History IV. - p. 285.
19. Tristram, Calicut and Non Moslem Subjects - pp. 329-333.
20. Tristram - see note 19.
21. Cambridge Med. History IV. - pp. 285-289.
22. The traditional tract of Umar as indicated in
is
the treaty of Jerusalem, supposed to have been made by
Umar I., 637, with Jews and Christians. It reads: "This
is the treaty for the people of Aelia. It is the favour
which the servant of God - the commander of the Faith-
ful grants to the people of Aelia. He gives them the
assurance of the preservation of their lives and
property; their churches and crosses. Your churches
will not be transformed into dwellings nor destroyed,
nor will anyone confiscate anything belonging to them
nor the crosses, or the belongings of the inhabitants.
There will be no restraint in the matter of religion,

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32. nor the least annoyance. The Jews will inhabit Aelia conjointly with the Christians, and those who live there will require to pay the poll tax like the inhabitants of other towns... All that this treaty contains is placed under alliance and protection of God and of his Apostle (peace upon him) and his successors, and of the Faithful as long as they pay the tax.

Mr. Muir, Rise and Fall of Caliphate - p. 134.

Britton believes that the Covenant of Umar was really an exercise in law school to draw up patterns of treaty - e.g. Kitab al Dm. "Every free adult of sound mind shall pay poll tax one dinar of full weight at new year. He shall not leave his town till he has paid it and shall not appoint a substitute to pay it; - one who pays no jizya till the beginning of the year, poverty does not cancel any of your obligations nor abrogate the protection given you. The jizya is the only burden on your property as long as you stay in your town or travel in Muslim lands except as merchants. If you travel with merchandise, you must pay one tenth to the Muslims, you may go where you like in Muslim lands except houses and you may stay in any Muslim land you like except Bagdad, where you may stay three days till you depart".

Britton, Caliphate and Non-Muslim Subjects, pp. 22-24.

33. Levtchenko, Renaissance of Islam; Islamic Culture, 1928 - p. 274.

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34. Tritton - p. 121-123.

35. Caliph Harun, (786-809) forced Jews and Christians to have another costume. The edict was put into force in the capital but it was soon disregarded. Under Mutawakkil in 849 persecution was serious. Money colored head gear and girdles were proscribed for dhimmis. If they used a qalansuah (a pointed Muslim cap) they had to fasten two buttons of a color different from that of Muslims. Slaves of Jews were required to wear a colored patch four inches in diameter on their chest and on their back. In the reign of the mad Al Hakim Caliph of Egypt, 1007-1032, non Muslims were ordered to wear black presumably because it was the color of the Abbassids, his rival. Jews wore bull heads. Their saddles had to be plain with stirrups of sycamore wood and reins of black leather. They could not wear rings on their right hand. Later Jews were ordered to wear billets of wood shaped like bell clappers, five 30lbs in weight. At the bath they had to wear bells. Later special baths were set aside for them. Jewesses and Christian women could not wear Arabian shoes. They wore boots with legs (sarmuz) one red and one black. These laws were in force for a period of nine years.

Cambridge Med. History IV. - p. 286-289.

Bukhsh, Renaissance of Islam; Islamic Culture, 1928 - pp. 276-8.

Tritton - p. 116-120.

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36. Björkemann, Beiträge zur Geschichte Staatskanzlei
im Islamischen Aegypten (1928) p. 20.
37. Mann II - p. 220.
38. Card I. - pp. 9-10.
39. See note 29.

CHAPTER II

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1. Ameer Ali, History of Saracens - pp. 415-423.
2. Webster, General History of Commerce - p. 48.
3. S.L. Poole, History of Egypt in Middle Ages - p. 18.
4. L. Brantano, Das Wirtschaftliche Leben der Antiken Welt.
5. "When the Arabs settled in Adharbaijan their families were eager to come to them from Al Kufah, al Basrah and Syria, and every person seized possession of whatever he could, though some bought lands from Persians. To these Arabs, the villagers turned for protection and the native inhabitants became cultivators for them."
Murgottan, "Al Baladhuri, Origins of Islamic State -"
p. 25.
6. Encyclopedia of Social Sciences, Vol. VI - Feudalism, pp. 210-211.
7. General References: Huart, L'Histoire des Arabes; Encyclopedia Islam; Le Strange (a) Lands of Eastern Caliphate (b) Palestine under Moslems; Kremer, Kulturgeschichte; Lane Poole, History of Egypt in Middle Ages.
8. Draper, Int. History of Europe; Davis, History of the Near East.
9. Palestine Pilgrims Text IV - 1893, pp. 6-7.
10. Benjamin - pp. 32, 49, 46, 63, 64, 74, 108.
11. As an example date plantation see Le Strange, Baghdad

during Abbasid Caliphate - p. 154.

"Great plantations at Ka Yabah in Baghdad. This spot was celebrated for its plantations of date palms, young trees being brought up the river from Basrah to Baghdad, where, after being thus transplanted they became acclimatized, ultimately producing most excellent fruits".

12. L.B. Strange, Palestine Under Moslems - pp. 239-40.

13. Comparison of Idrisi account with Benjamin.

Idrisi account - Le Strange, "Palestine under the Moslems", p. 237.

"Damascus the most beautiful city of Syria...the most humid in soil - having the greatest variety of fruits and abundance of vegetables. The greater part of the land here is fruitful and the most portion rich. Damascus has hills and fields which are in a plain called the Ghutah. The Ghutah is two marches long with a breadth of one march, and in it are farmsteads that resemble towns.... From the western gate of Damascus goes the Wadi al Banafsa; - the valley of violets the length, which is twelve miles and the breadth three miles. It is everywhere planted with various sorts of fruit trees. Five streams run through it and every one of its domains are from one to two thousand inhabitants. The Ghutah too, is covered with trees and crossed by rivers and its waters ramify and spread

into all its orchards and farms. There are grown here all sorts of fruits so that the mind cannot conceive the variety nor can any comparison show what is the fruitfulness and excellence thereof".

Benjamin -- בְּנֵימִינָה

וְהָיָה כִּי יִרְאֶה יִשְׂרָאֵל בְּנֵימִינָה וְהָיָה כִּי יִרְאֶה יִשְׂרָאֵל בְּנֵימִינָה

אֵלֶּיךָ יִשְׂרָאֵל וְהָיָה כִּי יִרְאֶה יִשְׂרָאֵל בְּנֵימִינָה וְהָיָה כִּי יִרְאֶה יִשְׂרָאֵל בְּנֵימִינָה

14. *Linkschassi:-- Le Strange-Palestine under the Mo'lems, p.16.*

"Within the province of Palestine are six and thirty products that are not found thus united in any other land. Of these the first seven are found in Palestine alone, the following seven are very rare in other countries and the remaining, though only found thus gathered in the province are for the most part found one and another singly in other lands. Now the first seven are the pine nuts called Kuraish, the Ainnuri and Duri raisins, the quince or sidonian apple, the Kafuri plum, the fig called Saba'ae and the fig of Damascus. The next seven are the Colocassia or water lily, the sycamore the carob, the lotus flower, the jujube (spiny shrub food) the artichoke the sugar cane and the Syrian apple. And the remaining twenty-two are the dates, the olives, the shaddook (pale yellow fruit longer than orange) the indigo, the juniper (berries for gin) the orange the mandrake, the nabk fruit (shrub) the nut, almond,

Further in this geography indicates that white pepper was not a distinct species but prepared from black - which, after being used as a tea and also in cooking, would result in being a mixture of the other two -
 (Note - Benjamin of India - p. 65.)

10. Benjamin - p. 77.

11. Long description of several substances, etc. - p. 87.

12. Same books, History of Egypt in Middle Ages - pp. 100-101.

13. Descriptions, parts of Southern Hemisphere - pp. 100-101.

14. Long description of India, etc. - p. 100; Egypt - p. 101.

15. Same, etc. - p. 101.

16. Same, etc. (p. 101 - 102)

17. Same, etc. (p. 101 - 102)

18. Same, etc. (p. 101 - 102)

19. Same, etc. (p. 101 - 102)

20. Same, etc. (p. 101 - 102)

21. Same, etc. (p. 101 - 102)

22. Same, etc. (p. 101 - 102)

23. Same, etc. (p. 101 - 102)

24. Same, etc. (p. 101 - 102)

25. Same, etc. (p. 101 - 102)

26. Same, etc. (p. 101 - 102)

27. Same, etc. (p. 101 - 102)

28. Same, etc. (p. 101 - 102)

29. Same, etc. (p. 101 - 102)

30. Same, etc. (p. 101 - 102)

31. Same, etc. (p. 101 - 102)

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(סוף)

30. Ed. E. Adler, *Jewish Travelers-Petitions of Rabbim*,
p. 67.

31. ר' אהרן

והם רבנו דמוכסמא לפרנסתין (פרנסתן) במדור
ומלוי ירחי דכזה מלך דמחין לחן נדרים, ונדרות ומע"ס
דמית לחון. שבר קרקעות מהו לחון עד זמן מרופפת.

ננוי קדם - פאר רשון, דף 76. ? (ר' שרימ)

32. *Mam - Responsa* -- J. G. S. 111

33. יידישע צייטונגס יארצט וואלטיגט ובעל חסד
ובוצר'ס כרמ'ס ודורמ'ס גרנות בחולו של מוקד.

מילער, ח"ט, דף 78 קנ"ז.

34. J. G. S. - *Old Series*, p. 402 or *Mam - Responsa*.

See Chapter II, Note 26.

35. *Mam - Responsa*. -- J. G. S. - vol. 10, p. 306ff.

36. ושאלת על תשובה... ראובן נשט אשה והכניסה

לו אדום ובכ"ס וברמ"ס ולכחוף נשאלת והובע"ס יורמ"ה
אופן מקרקעות והבעל שוען אח"כ כמח ומו"ה יורמ"ה.

מילער, גמ' ס' ע"ז.

37. סר רב פערמא, ושמא - ראובן נשט אשה והכניסה
לו בגרונות תכשיטין ובגדים והמכ"ס וכתבה לו אשה
שיעורה בבית פתח.

ע"ז ע"ז. שער ר' ליה, דף סב ע"א
ע"ז ע"ז, שער ג' ו' דף ס"ד ע"ב. Compare

38. ראובן מה וחניה אלמנה ויהוס, ורצתה האלמנה
 מזונות ולזה הוכרחה למכור חלק אחד לשמעון מהכרם
 אשר לה. — הרי"ף - בחשוכה הרמב"ם ס' רמ"ב.
39. 565-567. *Al-Sam - Sam. Islan*.
40. ובכוחה (*Sam*) כמו שבעת אלפים יהודים
 ובה י"ד בתי כנסיות ולפני הכנסת האחד קברו של
 דניאל ע"ם ונהר הדקל חולק את המדינה והנשר ביניהם
 ובצר האחד שדרים עד היהודים קברו של דניאל ע"ם היו
 השווקים ובה הסחורה הנרולה ונתקשרו ולצר האחר של הנשר
 היו עניים מפני שלא היו ביניהם שווקים ולא סחורה
 אלא גנות ומרדסים עד שלכשו קננת.
 מסקנה של בנימין - דף מח-סס.
41. רב נמרונאי גאון, ביה דין שמכרו שדה או
 כרם או כליים או שום דבר וכתבו לו שטר מכירה ולאחר
 באו שכינים שהיו מצויין שם, והוסיפו על שדה יהוסים
 או של עניים או של הקדש אם בהכרזה מכרו כמו
 שאמרנו חכמים אינם יכולים לחזור ואי בשלה הכרזה נעשו
 כמו שמעו בדבר משנה וחוזרין.
 הורוויץ - הורחן של רבשונים -
- חלק שני, דף 12.
42. ביה דין שמכרו שדה ונתן שלוקח חמישים
 דינרין בפני ביה דין וכתבו לו מכירה ולאחר מיכן
 באו שכינים שהיו מצויין שם וכו'.
- אסף - ה"ג - דף 183, ר"ס

43. ר' גמרוני' גאון - שרובן של אנשי הסקו
 אין להם קשרים אחר אלה אמתן כרס'ם.
 מילדער - נאס'ם - ס'ס'ו
44. שיינ' ביי'הם בני' אדם ש'ין להם כרס'ם
 ולקרא'ם ס'ן אנז'ים ומסל'ים פונד'ם ספ'יר
 כרס'ם שלוקא'ם ס'ן גנז'ים.
 מילדער - נאס'ם - ר'ג.
45. ראובן איז דא סת'ים איל'ם אנז'ים ולעז'ם
 סת'ים שלוקא'ם וז'ים סת'ים איל'ם נאס'ם על
 ראובן.
 (ס'ס'ם איל'ם ב' קל'ם) - ד'ס'ם - י'ס'ם נאס'ם
 חלק א - ד' 114.
46. Abraham - Jewish Life in Middle Ages, p. 325.
47. E. Adler, Jewish Travellers Perhaps Rationed, p. 59.
48. אר' סת'ם דעם - נ'ס'ים ש'ם סת'ם י'ס'ם
 דעם'ים סת'ים איל'ם סת'ים סת'ים סת'ים
 סת'ם סת'ם סת'ם.
 סת'ם - סת'ם סת'ם, סת'ם סת'ם -
 ד' 114 - סת'ם י'ס'ם.
49. סת'ם סת'ם סת'ם סת'ם סת'ם
 סת'ם סת'ם סת'ם סת'ם סת'ם
 סת'ם סת'ם סת'ם סת'ם סת'ם
 סת'ם סת'ם סת'ם סת'ם סת'ם
 סת'ם סת'ם סת'ם סת'ם סת'ם

מיני ירקוח מאליהן. או אם נצרך אדם לזרע
מחמיתן ממיני ירקוח כמה צריך להרחיק מן הערשים או
מן הענפים.

50. הרכבי - ח'ג - דף 224, סי' ח'ל.
50. מיללער - ספחה - דף 228. --אסף, ח'ג - דף 172, קמ"ד.

Genzberg II - p. 220 line 6...12,13.

p. 40, line 12-19.

51. ר' גמרונאי.

ושאלתם בשביל כרמים שלכם זמירה וחרישה
שלהם מניע בר"ח גיטן ופעמים שנשמים כאין ומשך זמן
שלהם עד פסח. ואם אין מערכין ואין זומרים אותם
בזמנם הם מתכלכים ויש פסידה גדולה. ופעמים
שכרמים נזמרים קודם הפסח ונשמים מעכבין מלחרוש
אותן והן מתכלכים ונקצצים כחוך פסחה ימים וכשחורשין
אותן הנצנים נשמים ונפלים מפני כלי המחרשה והכרם
נחרב ויש שם פסידה גדולה כגון פסידות אלו יש להם
תקנה לזמר ולחרוש אותן בחולו של מועד ע"י ישראל או
ע"י גוים יש להם צד היתר ואל יפסד מסגנו של ישראל.
מיללער - גמ"ס, סי' ט"ו.

52. וצמחים שלא יכשו כל צרכן מהו ליכשו.
וללקוט תאנים לעשותן גרונרות ולמיפסק ולמירכב כי
לא הפסיק לפני הפסח מהו דאי שניק לחן לבתר פסחא
קדוה"י.

לזין - אוצר גאונים, כרך ד', ספח משקין -

דף פ - סי' י"ג.

53. ושם - ישראל דקביל ארמא למעבד ליה
עבדתיא ולא אפפיק למסמרה לעבדתיא מחולא וקאי
לוי בביתיה ד' ישראל למסמר עבדתיא בשבתא מהו. דבר זה
אסור וחילול ד' ואסור לעשות כן.
מוספיה - ה'ו, ס' ס'ו.

54.. Genzberg II. - p. 263, lines 22-26.

55. רב שמואל -
זמי שיש לו קרפף בצד הצדו נפוצ כרם
ואילנות אז שוודע מעדמו אין מלמלין מקרפף לחצר
זמחצר לקרפף וכו'."
לזין - אוצר נאזי"ם, כרם ו-ס' לם - דף 14.
לזין - שם - ס' מ, דף 15. - see also

56. המוקצה הוא המקום המוכן להקצות בו פירות
ליבשן כדי שגומר מלאכתו
לזין - אוצר נאזי"ם, ס' יום טוב -
דף 39 - ס' ק"ד;
פזי"ל אמר... ועד אין לא ביטלו ולא נעשו
המרים פוצצין אותם בסכין אחד לשנים ומעלין אותן
לזין ליבשן
לזין - אוצר נאזי"ם, סוף טו' - דף 47.
זמן פירות שהן על הגג ליבשן אסור לאכול מהן עד
שיבשו לפי שהן מוקצה.
הודוויץ - מדרש של ראשונים - דף 17.

57. Talmudic reference is to Medina, ^{ishnah} Baba Batra 4, Gemara 80^a. The answer is:-

כִּי כְּשִׁילְדוֹ דְּבוּרִים קָמְרָם הַגְדּוּלִים הָרַחֵם
הַכּוֹאֶרֶת וַיִּלְכוּ הַקָּמָנִים וַיִּשְׁבוּ מִנֶּגֶד וְהָן הַנִּקְרָאִין נַחֲלִיל
וַיֵּבִיֵּא בַּעַל הַכּוֹאֶרֶת וַיִּקְיֶף לָהֶן בַּחוּף אוֹ בְּנַחֲלִיל קוֹל
נָעִים וַיֵּגִיב לָהֶן עֶץ וְהָן כֹּאִין וְנִכְרְכִין עַל אוֹתוֹ הָעֵץ
וְעוֹלִין וְחוֹנְנִין עָלָיו וְנוֹמֵל אוֹתָן אֵל כּוֹאֶרֶת אַחֶרֶת
שׁוֹעֶשֶׂה לָהֶן וְחוֹנְנִין.

Ginzberg II. - p. 123, lines 2-15. Free
of
English translation, also Ginzberg.

58. E. Adler, Jewish Travellers - Eldad the
Dan'te, pp. 4-15.

58. Judah Judghan of Bamedan, known by the Persians
as the founder of the Karaitic sect - is re-
ported by his opponents to have been a camel
shepherd.

some?

Caro - Vol. I. - p. 125.

59. רַב יְהוּדָאִי נֶאֱמָר:-

וּלְתַלּוֹת שָׁן שֶׁל שְׁעוּרִים לְכָל הַבָּחֶמֶת מוֹתֵר.

הוֹרּוּיִין, הוֹרְתָן שֶׁל רֵאשׁוֹנִים - דָּף 16.

60. הוֹרּוּיִין - הוֹרְתָן שֶׁל רֵאשׁוֹנִים - דָּף 21:-

רַב יְהוּדָאִי נֶאֱמָר:

וְאִסּוּר לְגַזּוֹז צֶמֶר שֶׁבְּרֹאשׁ הַבָּחֶמֶת אֵלָּא בְּלֶחֶם

הָאֵשׁ.

- נחשון בן צדוק : ?
 ושש - ישראל שיש לו שוורים וסוסים וחמורים
 ואינו יכול לרעותן בעיר יכול לספורן לרועה גוי
 מסוג לתחום כדי לרעותן ולשהותן בשבתות ובימים
 טובים אצלו שם אותו גוי עושה כהן מלאכה בשבת וכו' -
 קאמפל - ה'נ פי' צ"כ.
 61. והוא רוכב עליו והוא עושה בו כל צרכיו -
 מיללער - ה'פ, דף 79 פקנה (1)
 compare מיללער - מפתח, דף 220.
 Genzberg - Vol. II. - p. 61, line 18ff.
 62. אסור לבר ישראל לשחוט לגוי בהמתו כדי לפסור
 ופירה מן הנכורה -
 מיללער - מפתח, דף 7.
 63. Danki is a Persian coin = $\frac{1}{6}$ of a dinar or
 100 ²/₁ Prutah.
 64. אנשי מזרח פוסרין את הנכור בשמונה ועשרים כסף
 וחצי ראנקי ובני ארץ ישראל בחמש שקלים שכן
 שבעה כספים מחשמישי המלכות.
 מיללער - ה'פ, דף 35 פנ'ח
 65. ר' הילאי בר נמרונאי - בסורא - בר ישראל שנתן
 בהמתו לגוי והכניסה לגורן פסור מלא החסום לפי
 המצוה על החורש ודש לא על הנהמה.
 מיללער, מפתח, דף 154-79.9 - ה'פ דף 15 פ.
 66.

Chapter II.

67. וישא - מהו ליסול אונקף מעל החסור או מרגל שהוא מורכב בשכיל שלא תסתכן... אבל ליסלו בידו אסור אבל מרדעת מותר ליסלו משום דלא נפלה ממילא.
לויין - אורצ ג' - כך שני, סי' תסח, דף 157-8.
מר רב נחשון ג'.

68. וישא - ר' אבר ממארא לש' לסמען עליה תרי קמריין ומען עליה תוספת תלתין לימריין... וישא נביה פלגא דיוסא ומית.
שערי צדק ח' - שער ח' י'ו, דף צ"ח, ע"א ע"ב
Compare ש"צ - דף צ"ח, סי' י"ח, י"ט.
רב הילאי :

69. אנשי מורה סתירין את החמאה של גוים ואומרים אינו מקבל מוסאה ובני ארץ ישראל אסורין אותו מפני שחלבו גוי ואין ישראל רואהו אסור.
מיללער - ח"ט, דף 21 ז'ט.

70. *Shatzberg - Vol. II, p. 153, lines 17-19.*

Compare - 188# accredited to Rav Batronia.

71. וישא - ישראל שהיה דר בכפר והכפר בינו ובין קירואן עזרה מילין שיגר עם גוי אחד נבינה בקפית והאסה לפומה דקפית ושיגר עמו כתב לחכירו ואמר דע כי שיגרת לך עם פל' הנזי כך וכך נבינה ובכל נבינה ובנבינה חוקם בכתב עברי כרכה אותה הנבינה מותרת באכילה או לא.
הרכנזי - ת"ג - דף 3, ז'ט.
Compare מיללער - ספחה - דף 225.

72. Talmudic explanation to 17a. 17a. 17a.

ויבא אומר נזירה משום הנושכות וכשם גאון
 מצאתי כוונתם בוצר כרמו יש מהן שהנזירים שלהם מדובקין
 זה עם זה ונושכין זה את זה מפני רבוקן ואע"פ
 שהמשקה יוצא מהן אינו הולך לאיבוד, והמשקה עוסר
 ונשטר בריבוק אותם נזירים ואינו נוסף בקרקע, ומ"ה
 חוכם זה גאון ז"ל.
 לוין - ת"ג - חלק שני סי' ל"ג.

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מר רב הו"י -

לענין יין של צמוקים כך אמרו ראשונים היבא
 דכמישו ולא דיבישין וכד עזר להון נפיק מנהון חמרא
 ומברכין עליהן בפ"ה.
 לוין - אוצר גאונים, כרך שלישי, ספר
 שני - סי' רל"א.

74.

רב פלמו"י -

יין צמוקים בשיש להן לחלוטית הן כענבים
 ולא שיהיו יבשין שנחם עליהן סים ועושה אותן
 כשכר.

לוין, אוצר גאונים, כרך ג' - ספר שני -
 סי' רכ"ט.

75.

רב נטרונאי -

ושא - מקום שאין יין מצוי כל עיקר לא
 בקרוב מקום ולא כרחוק מקום וחגי' לילי פסחים...
 יכול לאסרן על דבש או על שכר של חאנין או על

- שער סיני שבר, כך, ראינו - : יש תקנה לחביא ענבים
 יבשות קודם לכן ושורה אותם במים,
 לוין - אוצר גאונים, - כך שני,
 ח"ב, סי' רכ"ו, Compare סי' רכ"ח,
 76. שפעם אחת היו בורו של ישראל מלא יין .
 מיללער - מפתח, דף 132.
 77. Ginsberg II. p. 193, lines 18-20.
 p. 194, lines 9-10.
 78. רב שר שלום -
 יין של ישראל שהוא בכפרים ומפתח וחוקם
 בידו של ישראל מותר בשתייה,
 מיללער - מפתח - דף 9.
 79. מקום שיש שם חביות גדולות ממלאין אותן
 יין ומחין את החביות במים כדי שלא יכנס בהן הרוח
 וימסיד היין ויש להן באוהן חביות נקב קטן
 כשמוציאין אותו מאותו נקב סותמין אותו במעט
 פשתן....
 לוין - אוצר גאונים, כך שני - סי'
 ש"ד - דף 100.
 80.. ופוקע של גוים כיון שהן ממילין בו קמח שעורים
 מבושל אסור.
 Ginsberg II. p. 343 - 342. Compare a contradictory
 unaccepted view of R. Natronai Gaon. †
 Ginsberg II - p. 343 - 341.
 81. רב פלמוי -
 כך עושין שבר במקומינו שבר ריש להן שלש
 גיניות ביום א נותנין באחת חסרים וכשות ומים

ולסחר נותנין תמרים וכשות בניגית אחרת ומסילין
אותם חמים שהטילו בניגית ראשונה ביום א' עליהן
ונותנים על הראשונה סים אחרים ליום השלישי
ונותנים תמרים וכשות בניגית שלישית ומסילין אותן
חמים שהטילו שתי פעמים בניגית ג'.

לזין - אוצר הנאונים, ספר שני - כרך שלישי,
סי' רצ"ג ספר היובל - בית המדרש הרבנים
בבודפשט - ס.צ. ווייס - שרידים מהגניזה,
דרך פ"ו.

82. ר' חאי גאון -

ומקשים בכל יום בבבל שיש בהי בדים לישראל
ומשכירין ולא פתחו חכמים בדבר.

מיללקר - ספח, דף 217.

מוספיה - פ"ג, סי' ס"ד. compare

83. ושמו אהרן... פרט צאתו מארץ כנען לאביו היה

ריחיים למחיה והפרד שפיה נוללו בה הצרי ואכלו..

Salomon ספר היומין לר' אחימקץ. דף 63

84. פורני וביה בדב -

בזמן שהדבר ניכר שאין מלאכתן של ישראל

נעזית בהן סופר.

מיללקר - ספח, דף 217.

85. ושם - על מדרגת הפס דף כי גזירה הוא

מגורו עליה חכמים ואמר לפקק בה עבך אמרו

חכמים... ואוכל פה של גויים אין עליו מלקות

85. ארמא - על ארבות המדבר דע כי נזירה היא שגורו עליה
 חכמים ואמרו לעקוק בה שכן אמרו חכמים... האוכלת את של גוים
 אין עליה מלקות ולא מוכיחין אותו ואומר אל תהי רגיל לעשות
 כן וקל הוא הדבר שכן אמר ארמאין מה ריפמא שגור ישראל ואמא
 גוי שפיר דאמי שגור גוי ואמא ישראל שפיר דאמי שגור גוי ואמא
 ישראל שפיר דאמי שגור גוי ואמא ישראל שפיר דאמי שגור גוי ואמא
 שפיר דאמי (עבודה זרה דף 38 ע"ב)

Ginzberg II, p.26 lines 4-18; II, p.218 Comp.

מילקער - ח"ט דף 22 #כ"ו

86. Ginzberg Vol.II, p.224, lines 15-19.

87. See note 84.

88. ארמא - ג - כרך שלישי דבר שני - ד' מד' דף 26

89. Ginzberg II, p.184 lines 19-26; p.235, lines 22-27.

89. In Mesopotamia (Iraq and South) they were heirs
 to the Sassanian system of irrigation which made this
 province one of the richest in the known world. The
 entire ^{area} was effectively watered by draining the surplus
 of the Euphrates thru a system of transverse canals
 flowing to the Tigris. The district east of the Tigris
 which extended up to the Persian highlands were watered
 by streams which flowed down from the mountains, and
 in part by a series of loop canals taken from left bank
 of Tigris and returning to it again, which in turn ab-
 sorbed the flood waters of many small rivers rising in
 the eastern hills. Upper Mesopotamian region (Jazirah)

were enclosed by a ring of waters formed by upper courses of Euphrates and Tigris and by canals joining the two rivers southwest of the stony plains.

G.Le Strange - Lands of the Eastern Caliphate, p.2-4

90. Enc. Islam, El Katif, p.821.
91. Enc. Islam - Tunis, pp.838-9.
92. Bury - History of Eastern Roman Empire, p.236.
93. Map - Babylonien in Zeitalter des Talmuds und Gaonats, von J.Obermeyer.
94. Nowadays the Tigris and Euphrates meet about 250 miles below Baghdad and then flow into the Persian Gulf. In olden times (till the 15th century) the course of the river was somewhat different. The Tigris 150 miles below Baghdad veered south from its present bed known as the Shut^al al Hayy (the Snake Stream) to Wasit which occupied both sides of the river. Below Wasit for about 60 miles was a numerous expansive system of canals which drew off most of the waters. The rest came into the Great Swamp which was about 50 miles in width and 200 miles long came down to the immediate area of Basrah. Along the northwestern end the swamp received the waters of the Euphrates. Along the outer area of the swamp was a series of towns and villages which was broken up into lagoons and canals which made the soil very fertile when drained. Along the Tigris and Euphrates there was a series of canals which was drawn off to water the lands in the plains and the hillsides.

הדו"ש את שד"י וזמס"ד את פ"דו"ה וראובן בזמן עלי"ז ב"י תתס"ט

שלום יעוה"ך נמו על אמת ה'ים והם מעבדים אותי מליך בתוכה...
ועוד ר' זה רוצה בכל שנה להפך אמת ה'ים זו להעלות מתוכה
עפר ועושה אותו על הצדדים.
הרכבי - ח"ג דף 151 ס"י שכ"ב.

104. ר' שרירא

יש לנו גזנות ומרדמים ... ומהם שיכולים להשקות כל זמן
שהם רוצים ומהם שאין להם חלק להשקות אלא כיום השבת חק ולא
יעבר מימי הקדמונים.

מיללער - ח"פ דף 66-7 פק"ו

(Similar response in 3# 57 II ח"פ חש"ר)

Mann - Responsa

105. Mann - Responsa.

106. ר' משה נאמן

מיום דהבא רובא דעלמא לית להון מקרקעי ועבדו רבנן
בהראי הקנותא שלא לזעול דלת לפני לויין - אבל בשאר מקומות
דרובא דאשא אית להון מקרקעי.

Mann - Responsa (הסדה גנוזה - ס' ס"ה)

107. The enactment refers to the permission of collect-
ing debts from movable property ^{of deceased} ~~in Babylon~~, which was
not in accordance with Talmudic law.

108. השוכה רב נחמן

שמעם אחת היו כורו של ישראל מלא יין ובה אנס והוש"ם
ידו לחובו להכעיס (היה שם זקן אחד שנהרג על קידוש השם ושמענו
שלקח מן היין בבלי ושחה ממנו מפני האנס שלא יהא רגיל לעשות כן.
מיללער - מפתח דף 132.

109.

ר' חייא בר נחשון ראש מחיבתא

ואם באו גיאסות של גוים למכרי ישראל ושללו ובזזו
את הכל ומצאו דגות וחביות מליאות יין ושמן אותם הבו יים
ושפכו ושברו ונשאר באותן הכתים חביות מהן מליאות ומהן
חציין אותן חייין מותר הוא לשותתו לישראל אם באו על עסקי נפ
נפשות אבל אם באו אותן הגויים על עסק חכשימין ועל עסקי דבר
אחר אסור לישראל לשותת ולא ליהנות ממנו מפני שהוא יין
נסך גמור. ולא כתבנו לכם שאילה זו ששאלתם אלא לפי שמצינו
שהתורה חסה על מסונם של ישראל וכו'.

לויין - גנזי קדם - ספר שני דף 2.

110.

ברור - הארץ - דף 162

110a

ר' חאי גאון

ראובן היה לו קרקע בתלמסאן ובלו לאשור ונשאר
ארצם חסר וכול' לאחר שנים חזרו כולם לתלמסאן וחזיקו בנכסיהם
שלאב ושלום... ועוד היה להם חצרות רבות.
הרבני - ת"נ דף 16 סי' ל"ח.

Ashir is a city in Barbary hills of Mograbi in
West Africa. - Menu - Response

(23)

CHAPTER III.

1. Thompson, The Middle Ages - Ch. 15.
2. Ameer Ali, Short History of Saracens - p. 191.
3. Kramer - pp. 89-91.
4. Lane Poole - Art of Saracens in Egypt - p. 239.
5. Encyclopaedia Islam, Al-Iksanirya - pp. 16-19,
pp. 910-911; Thompson - Ch. VII.
Art of Saracens
6. Lane Poole - pp. 239-241; L. Bréhaut, Das
Wirtschaftsleben der Antiken Welt - p. 200;
Thompson - Ch. 15; Rossert, Geschichte der
Kunstgewerbes - IV. pp. 356-8.
7. Huart, Ancient Persian and Islamic Civilization -
pp. 104-5.
8. Encyclopaedia Islam, Vol. I - p. 445.
- 9a. Collapse of Roman Empire resulted in shifting
the dye industry back to the east. Begood the mar-
ket for indigo. Eastern dyes came through Aden and
Alexandria.
Encyclopaedia of Social Sciences, Dye Industry -
pp. 255-8.
9. Lane Poole - Art of Saracens - pp. 241-242; pp. 243, 245.
Dinant, Handbook of Mol. Decorative Arts - pp. 5-11.
E. L. Ross, Art of Egypt through Ages - pp. 76-77.
10. Huart - Histoire des Arabes - p. 92ff.
11. Rossert - Geschichte der Kunstgewerbes.
12. L. Strange - Palestine under Moslems - pp. 1945, 300.
Huart - Histoire des Arabes, p. 92ff; Thompson, Middle
Ages, Ch. 15.

13. Nasir I. Khusrau, c. 1050

"At Misr (Fustat) they make earthenware of all kinds, so fine and diaphanous that one can see one's hand through it. They make bowls, cups, plates, and other vessels, decorate them with colors Bukalamun (iridescent) so that the shades change according to the position in which the vessel is held."

Lane Poole, Art of Saracens - pp. 233-4.

14. Lane Poole, History of Egypt in Middle Ages, p. 141.

Bossert, Geschichte des Kunstgewerbes - p. 362.

E.D.Ross, Art of Egypt through the Ages. - pp.77-80.

Palestine Exploration Fund Annual, 1923-25,

Excavations of Ophel - pp. 196-201.

15. Lane Poole - Art of Saracens - pp. 151-153, 155.

16. Thompson - Ch. 15.

17. E.D.Ross, Art of Egypt through the Ages - pp. 75-76.

Palestine Pilgrims Text, 1892 - p. 19.

18. Lane Poole - pp. 162-163.

19. Nasir I. Khusrau who saw the Fatimid

Khalif El Mustansir wrote (945-952):

His throne was covered with gold on which were depicted scenes of chase, huntsmen and dogs and inscriptions. The balustrade was of gold trellis work of a beauty defying description and the steps behind the throne were of silver.

The silver chandelier placed in the mosque by El Hakim was so large that they had to break down the door to get it into the mosque.

Lane Poole - Art of Saracens - pp.162-3.

20. Lane Poole - Art of Saracens - pp.47-48, 111-114.
Thompson - Ch. 15.
21. E.D.Ross, Art of Egypt through the Ages, pp.72-75.
Dimand, History of Mohammedan Decorative Arts -
pp. 86-88.
22. Thompson - Ch. 15.
Enc. Islam, Part I, Vol. II - p. 16ff; Part I,
Vol. I - p. 295.
Palestine Pilgrims Text - IV. 1893 - p. 8.
23. Lane Poole ^{Art of Saracens} - pp. 87-91 ; Dimand - pp. 12-16.
Thompson - Chapter 15; E.D.Ross - pp. 61-64.
Enc. Islam - Manara - pp. 227-8.
24. Mukadassi gives an interesting picture of

the mosque as he saw it. It might serve as an example of mosque architecture:

"The mosque of Damascus is the finest of any that Muslims now hold. The columns supporting the roof of the mosque consist of black polished pillars in a triple row. The inner walls of mosque are faced with variegated marbles - and above this to the very ceiling are mosaics of

various colors and in gold showing figures of trees, towers, towns, and beautiful inscriptions. The capitals of the columns are covered with gold and the vaulting above the arcades is everywhere ornamented in mosaic. The columns round the court are all of white marble, while the walls that enclose it, the vaulted arcades, the arched windows above are adorned with mosaic in arabesque design. The roofs are everywhere overlaid with plates of lead."

La Strange - Palestine under the Moslems, p. 227.

25. Bossert - Geschichte des Kunstgewerbes, IV, p. 359.
26. Enc. Judaica - Handwerk - pp. 950-51.
Jüdisches Lexicon Handwerk p. 1404.
27. Gottheil - Morrell - Fragments from Genisah.
28. Mukadassi - "In this province of Syria the most part of assayers of coins, the dyers, bankers and tanners are Jews."

L.E. Strange - Palestine under Moslems, p. 22.

Geschichte des Kunstgewerbes IV. p. 361.

S. Krauss ; Abrahams - Jewish Life in the Middle Ages - pp. 245-6. Ch. XI.

S.K. Bukhar - Renaissance of Islam; Islamic Culture, 1928 - p. 267.

29. Rab Yom Tov Kahanna was previously a weaver.

ואחריו לא היה במחא מחסיה חכם וראוי למסיכה אבל
דוד בן זכאי ראש גלוח לקח אורג אחד ששמו ר' יום
סוב והקיסמו ואח"כ שלח לארץ מצרים והביא משם רב
מעדיה אלפיומי והיה לראש ישיבה במחא מחסיה ב' שנים.
ספר קבלה, דף 65. Neubaner, Med. Jewish

ובחריה לא הוה בהון ראוי וממכיה דוד נשיאה למר רב
יום סוב כהנא בר מר יעקב א' ע"נ דאורג הוה הואיל
ולא הוו חסן רבנן כולי האי ומלך עשר שנים.

Hyman אגרת שרירא גאון — p. 100-101.

This period is just before Saadya and Sura
was on a low plane. Sherira in referring to Aaron
ben Joseph Ha'Cohen says he came from the merchant
group Posnanski claims that this individual who is
elsewhere termed Aaron Ben Joseph ibn Sargado, was
one who drew lines on paper or papyrus. (in Syriac)
כרור

Posnanski, p. 137-9.

ספר זכרון

In reference to the lineage of Saadya Gaon
it must have been of a lowly origin.

Malter - Saadya Gaon - pp. 27-28.

30. Jüdisches Lexicon - p. 1403.

31. Gottheil Worrell - Fragments from the Genizah -
p. 161.

32. Gottheil Worrell - p. 153.

Not int. here a feeling that
for abnormal?

33. לרב פלסוי נאון -
 מי שזימן להם ^(סוחרים) אכל השנה או אשה שעשתה בנדים
 למכור מהם ולמכור להם בחולו של מועד.
 לוין אושר נ', מס' משקין דף י"א - ס"י יא
 הרכו"י - גסו"ס - קס"פ

34. Caro.
 Schipper - pp. 24-25 (Graetz 7. p. 398).

*This was later
 under Fed. U.
 You should discuss
 it, however, as young
 law to under-
 stand.*

ומהם שני סוחרים עושי מלאכת משי יעקב נ' גיר
 ויוסף ... והתחזקו במלאכת המשי ועשו בנדים יקרים
 ונסי ישמעאלים על ראשי הדגלים יקרים מאד, לא נעשו
 כמותם מספרד. והעלו מנחה לסלך...
 ראב"ד - סור הקבלה.

35. Gudemann II- p. 240. (also see below)

36. Graetz 3 - p. 424.

37. ונשאל רב האי על בני אדם שהיו רגילין
 לקנות תובטין ועלי שער אילנות לצורך המשי.
 מדעי היהדות - ספר שני.
 אסף - ת"ב 109.

38. ראובן שינר עט שם' משי מאי פיקליה
 Leon II. #65.

39. שאלה סרב האי ז"ל -

יש במקומנו עושין תולעת המשי ונהנו
 קדמונינו שמאכילין את התולעת ביום מוצ וזאין

מאכילים אותם בשבת...

לויין - אצ' ג' , כ' שני - ס' הע"ג דף 159.

Comp. (גמ' ס') , ספח 22.

39. Benjamin, pp. 22, 25, 27, 28, 31.

Also : "Ten miles from Siden live the Druses in mountains and clefts.... There are no resident Jews but a certain number of Jewish handcraftsmen and dyers come among them for the sake of trade and then return." -- Benjamin, p. 18.

40. pp. 52, 55. , אייזענשטיין - אוצר מנחות

41. "The dinar was a gold coin weighing about 71½ grains of wheat same as miktal. Its value was about \$2.50 but its purchasing power then was about \$7.50."

42. Gottheil Worrell, p. 73.

43. ליתן כלים לצנע ערב שבת עם חשיכה מותר

שהלכה כבית הלל.

אסף - ת"ג 155 #3.

Compare מיללער - ה"פ , 80.

ושא - מהוא שיביא אדם כלי מן החיט או מן הצנע בשביל כבוד יום טוב ולא גמרו (אלא ביום טוב) (מערב יום טוב) כיון דלכבוד יום טוב מותר.

לויין - אצ' ג' כ' שני , ח"ש - ס' קפ"ה דף 77.

44. רב נפרונאי -
 ושעא - החייטים והרצענים שהם עניים ומתפרנסין
 מעמל ידיהם יש להם שיעשו מלאכתן בחש"מ או לא ... וכן
 אותם שמלאכתם תמיד בפרהסיא...
 מכאן למדנו שהחייטין והרצענים והכובסים כיוון
 שצריכין מותר להן לעשות מלאכתם בחולו של מועד.
 לוין - אצ' ג' - מס' משקין, דף 137-14, ס' י"ו.
 Compare מיללער - ה"פ 8071
 (גמ"ס) - מפתח 111.
45. ר' כהן צדק -
 בנדים של מלבוש ושל כסות שאסור מן התורה אפי'
 לתפרן בחושי פשטן אסור אבל כרים וכסתות שאסורין
 מדרבנן אם תפרן בחושי פשטן אין בכך כלום ומרדעת של
 חסור הרי היא נכרים וכסתות... ואפ' וילון.
 מיללער - ה"פ 15.
 Compare מיללער ה"פ 14.
 לוין - אצ' ג' - מס' יום טוב, דף 15-ס' כ"ו-כ"ז.
46. נפירוש הגי' -
 שמעבירין על הבנד אחר שמנקין אותו בכביסה
 סבעת לצחצחו.
 הרכבי - ת"נ 126.
47. או אז גם רקמו חיבות משל וברכה בבנד.
 (גמ"ס) - מפתח 49.
48. וכל ראשי הקהל ועשיריהם שולחים לו בנדים נאים.

ותכשימין ימים וכלי כסף וכלי זהב כל איש ואיש כמחנות
 ידו... וכבר הכינו לו בלילה מבעוד יום מגדל עץ ארכו
 ז' אמות ורחבו ג' ופורסין עליו כנדים נאים כן המשי
 וכן החלת וכן הארנמן ומחולעת השני עד שיחכמה כלו
 ולא יראה ממנו כלום ועל מקומו ממעל למגדל אחוזה במבלי
 בוך וארנמן.

Neubauer - Med. Heb. Chr. II.

סדר עולם זוטא - דף 83.

49. E. Adler - Jewish Travellers -- R. Petachya of
 Ratisbon, pp. 70, 81.

50. E. Adler, Jewish Travellers - p. 70.

51. Studies of I. Abraham

Gottheil - Tit Bits of Genizah.

52. J. Q. R. - Old Series -- Worman - Book Lists from
 Cambridge Genizah Fragments, Vol. 20, 1908 - p. 450.

53. והכי אמר ר' מחתיה נאון :

ושמא - נוהגים לישב על כרים וכסאות ומצעות

נאות בבית הכנסת ביום הכפורים.

מיללער - גמול'ם, ס"י ק"ז.

54. E. Adler, Jewish Travellers - pp. 95-96.

55. Gottheil Worrell, Fragments of Genizah.

56. Benjamin, p. 18.

מסדעי חידות - ב. אסף ח"נ 29 וקצקן של יוסי ויזיק ופבל וליט 58
 וקנקנים של גוים שהיה בהם יין גוים אסור לבר ישראל ליתן 59.

מיללער - ח' פ' - 20

ר' נטרונאי גאון ושש-שאתם נוחגין להדליק נר של
זכוכית בבתי כנס"ות כערכי שבתות וכשמדלי' פותח נופנים
מים למטה ושמן למעלה וכשהאור מגעת למים כבה ואם אין מים
הנה מתבקע והולך.

ישראל

61. בתשובת הנאונים שמעשנים כלי זכוכיה בעשן שמן זית
עד שתשהיר וגורר השחרחרית ונותן בה שמן קימקא ומגבל בו
ומייבשו בחמה וממחה אותו לפוך הדיו.

לגפר את הכלים בגפרית וללכנם.

ר' שרירא אסור לעשן כלים ביום טוב.

מידער - ה"פ #78.

אומן שנתנו לו כלי לתקן.

(גמול"ט) - סמחה - ק"ט, (גמול"ט) - ספתח - רפ"ט

65. לחביא כלים מביית האומן לצורך הסוּעֶה אסור.

סיללער - ה"פ - 80.

66. Jüdisches Lexicon Metal Making, p.1404.
67. Poznanski - Jüdische-^ראבישche Bücherlisten aus der
Geniza, Z.f H B XIII
68. יש קערות של נחשת הנוקבות מחתיתן העשויות לשער בהן
שעות שמניחין אותן במים וכשוכנסין המים עד שנת זו לחצי
שעה ועד שנת זו לשעה ועד שנת זו לשעה ומחצה והנקודות הן
נקראות שנחות.
Comp.
לוי'ן - אצ"נ כ' שני, ס' רנ"ח, (גמ"ס) - מפתח 49.
69. J.Q.R. Old Series, Vol 20,1908, p.453.
70. Worman - Notes on the Jews in Fustat, p.18.
J.Q.R. - Old Series Vol,18.
71. Bossert - Geschichte des Kunstgewerkes IV, p.361.
72. Mann - Jews in Egypt and Pal. under Fatimids, pp.78-9.
73. A.S.Tritton - Caliphs and Non-Muslim Subjects, p.93.
74. Abrahams - Jewish Life in Middle Ages, pp.289-90.
See 49 מפתח דף
75. אנשי מזרח רואין סבעת קדושין ובני ארץ ישראל אין
רואין סבעת קדושין ש"צ ח"א ש"נ ס' ס"ז.
ווייס - דור דור ודורשיו, ח"ד דף 108.
76. לרב גפרונאי גאון וששא - נשים מותרין לזאת בשבת
בנומי האון אבל אינה יוצאה בסבעת שיש עליה חותם ואיש בסבעת
שיש עליה חותם.
לוי'ן - אצ"נ כ' שני, דף 57 ס' קע"ח קע"ט.
77. Graetz III, 90.
78. Studies in Memory of I.Abrahams.
R.Gottheil - Tit Bits of the Genizah.

- 78*. היו מניחין עטרת זהב על ראש ספר חורח.
(נמו"מ) - מפתח 22.
79. Mann II - pp. 286-7
80. ויש לי אבן סחנה שמוחנין בו עפר הזהב והכסף....
כשהגיע קצי ויגזור ד' מיחתי ... וינתן לשלש בניי הקטנים
השמונה עשר חלקים ואבן הסחנה להם לבדם.
הרכבי - ח"ג 186.
81. אסף - ח"ג דף 155 סי' ה'.
82. בניי בבל מוהלים בתער בניי ארץ ישראל בטכין.
לויין - אצ"ג כ' שני סי' ש"ג
Slaughtering Knives, Ginzberg II, p.32.
83. משא - לתקן פרסום סוסים בחולו של מועד בניגרי ברזל דני
נזמן לו דרך בחולו של מועד ... מותר על ידי אומן גוי לצורך
המועד.
פריימאן עפשטיין - מעשה הנאונים - 33.
84. P.Kennedy - Arabian Society at the Time of Mohammed, p.214
85. Benjamin - pp.31,47-48,53-54,67-68.
86. שמע ישראל יר' אלהינו ז' אחד - ואני כרב חסדך אבוא
ביחך ששחזרה.
עובדיה בר יפת הידוע אבו אלמעאלי.
האלהים יחלף עלוהי.
British Museum, Hebrew and Samaritan Manuscripts Part
III, Miscellaneous #1145.

87. כלי שרת של עץ ושל עצם ושל זכוכית שפיר דמי... אסיר
למעבד בדמות שמשון... לא תעשון אותי היינו מרצוף אדם ותניא
כל הפרצופות מותרין חוץ מפרצוף אדם.
שאלות דרב אחאי גאון, פרשת יתרו - דף 190.
- 87*. **Abrahams - Jewish Life in Middle Ages.**
מפתח 226, 219 refers to.
88. ר' שריא או ר' האי וששא - הא דתניא אחרים אומרים
המקמץ המצרף נחשת והבורסי פטורין מן הראיה... מפני מה אין
יכולין לעלות (אי) מישום שריחן רע יכולין הן להתקן.
כך ראינו שאינן יכולין להתקן כי עורן שואב ריח רע
שאינן לו תקנה ומחלחולי בשרם נכנס ריח רע שאין דבר מעבירו
ובאותן השנים היה מנהג כל אדם להפרד מאילו בעלי אמניות ולא
היו יושבין עמהן ולא מתערבין בהם ומתרחקים מהן ולפיכך היו
להן בתי כנסיות לבדן ועדאן בכמה מקומות...
לויין - אוצ"ג" כרך ד' מס' חגיגה דף 1-2 סי' ג'.
- אסף ח"ג דף 93 ס' קע"ט Comp. abbreviated form
89. **Jüdisches Lexicon Metal Making, p.1404.**
- 89a. ודשאלתון - ראו' דזבין ליה לשמעון בירא לבורסי ולא
אדכר ליה חשמישא ומנהגא דברסאות דאית ליה בירא צריך למיהוי
דוכתא לעילא מן בירא לאפוקי בה מישכי דמפיק מן בירא ושטחא
ליה היכא דזבין ליה סתם ולא אדכר ליה מיחייבלמיתן אי לא.
הרכבי - ח"ג דף 86 ק"ז.
90. **L.E.Strange - Baghdad during the Abbasid Caliphate.**
- 90a. **Halper - Cat of Genizah, Fragments, p.178.**

91. Another fragment states "like a sandal from the shop of the Jew Ibn Ezra Abulqasim.
Buksh- Islamic Culture 1928, p.267.
92. *ibid* note 89.
93. Finkel - Risala of Al Jahiz.
1927
Jewish American O.Soc.,- pp.327-8, 333.
94. ראיתי בחשובת הנאונים שרגילין ללבושן תחת מנעליהן
ונועלין עליהם עור של חישים מעובדין. ויש עושין אותן של
צמר וקוראין אותו נמסי וקשה הוא.
לוי'ן - אצ' ג, מס' יום טוב, דף 16 ס' לא.
95. רצועות שחורות הלכה למשה מסיני ודוקא מכחן אבל
מפנים אפילו ירקות או לבנות כשרות אבל אדומות לא יעשה כן
מפני גנאי ודבר אחר גנאי שדומה לתכשיטי נשים ודבר אחר שמא
נראית בראש כצרעת.
מיללער - ה"פ דף 39 ס' ס"ב ועוד.
לוי'ן-אצ' ג, כ' שני דף 33 ס' צ"ז, צ"ח Comp.
96. רבינו שרירא
וששא - היאך עמלים אצלנו הגויל וכמה שוהה בסיד
וכמה ישהה בקיץ ובחורף וכמה צריך כל עור מצואת כלבים ואיזה
קמח של חטים או של שעורים וכמה מים והיאך מטילין עפצים הש-
כך עושין עורות של גוילין אצלנו. מביאים עורות יבשים
שמשרין את צמרן ושורים אותם במים לבדם עד שישורו ויהיו
רכין ואחר כך מטילין אותם לבור הסיד העשוי להם ומטילין לתוכם
מים מעט ומעט צואת כלבים בלא שיעור ומעט מלח וסותמין את פי

הבור ומשה'ן אותם בקיץ יום אחד וכחורף ג' ימים ואין
משה'ן אותם יותר כדי שלא יתעכלו ומוציא'ן אותם משם
ובודקים בהם מפני הקרע ואם יש בה קרע תופרו ומותחו על
כלביות [מלבנית] של עצים המוכנים ומביא עפצים הרבה
ושוחקן או סוחזן יפה יפה ונותן לכל עור ועור שליש
ליטרא מליטרא של בגדאי שיש י"ג אוקיות בליטרא וסח מן
העפצים האלו בפניהם משני צדדים ומזלף עליהם מים ומעדיף
במקום השער עפצים יותר ממקום הבשר ועושה לכל עור ועור,
כך פעמים ביום פעם הג' סח את יותר העפצים ומעמידים
בשמש כדי שיתלבנו ועוזבין עד שיבשו ומנפצן לאחר כך
וחותכן עכ"ל הגאון.

לוי'ן - אצ' ג - כ' שני דף 78-9 ס"י רנ"א.

הרכבי - ת"ג דף 28. Comp. abbreviated form.

פירוש רב האי גאון

97.

אבל קלף ודוכסוסטוס הוי שחותכין את העור לשנים
וכותבין בשתי הקליפות במקום הותך אותה קליפה שלצד הבשר
קרויה דוכסוסטוס וכותבין בה לכתחילה לצד החתך שזהו לצד
השחור והקליפה שלצד השער קרויה קלף וכותבין בו לכתחילה
לצד החתך שזה לצד הלבן.

לוי'ן - אצ' ג - כ' שני א שני ס"י קמ"ח.

98. בני תלמסאן מר' האי וששא-מקום שאין בו מי שיודע
לעשות לא נוילין ולא רק והצרכו לכתב ספר תורה ומצאו
קליפין (רק) שבא ממקום רחוק יש להן רשות לכתב באותו רק
ספר תורה... היו יודעים שעיקר רק שאמרתם לא הכשירו רבנן
לתרפין מתבאחא לכתב בה ספר תורה ולקרות בו בצבור....
תלמידו בו תינוקות וכיוצא בהן ובציבור אל יקראו בו.

- לויין - אצ' ג, כ' שני דף 77-8 ס' ר"נ.
 הרמב"ם - ת"נ דף 226-7.
 99. לויין - אצ' ג, כ' שני דף 79 ס' ר'נ"ב.
 מיללער - ת"ס דף 91. *Compare*
 100. כי שמואל יריעות של ספרי תורה ושאר כתבי הקדש לא
 יתפור יריעה ברובתה סתמילה עד סופה אלא משיר שיעור גליון
 משתי אצבעות למעלה ולמטה ותופר את האמצעין.
 אסף - ת"נ דף 177.
 101. ועתה בני ארץ ישראל עדיין הם מתעסקים בנבוכיותיהם".
 Mann I - p. 72; II - p. 72.
 102. Gottheil - Cairo Syn. 11th century Document.
 J.Q.R., Old Series, Vol. 19, 1907, p. 491.
 103. *ibid.*, pp. 484-490.
 104. E. Adler - Benjamin, p. 42.
 Hebrew, p. 64.

The synagogue of the Exilarch is called in
 Sherira's letter *בית ישראל דבר ושלם* (Neubauer 38). The
 synagogue was probably built by *בן ושלם* an un-
 known character. There the two academies met in case
 of controversies, and also during *שבת דריגל* to
 give honor to the Exilarch.

- לויין - ירושלים, דף רמא וכו'.
 הרמב"ם - בתי כנסיות עתיקים כ"א ובארצות הקדש.
 105. ארבעה עשר - אוצר מסעות סבוב ר' סתמיה דף 51.

1058. אייזענשטיין - אוצר מסעות, דף 95.
ספר מסעות מרב' יעקב בר נחמנל הכהן.
106. E.N.Adler - Jews in Many lands, pp.160-1.
107. לונץ - ירושלים.
קרויס - בתי כנסיות בא"י ובארצות הקדם, דף ר"ל-רל"ד.
108. לונץ - ירושלים, דף ר"ה-רס"ו.
י. פינקערפעלד - בית הכנסת לעדת הקראים בירושלים.
109. שאלו בשאלות חרש כדי ליתן בין פצים והשיבום -
אלו שמנסרין הקורות לעשות דלתות ולוחות ונסרין ונוחנין
חרש בין הנסרים כדי שיכנס בהן רוח ויבש.
לוין - אצ' ג, כ' שני דף 83 סי' רס"ח.
110. דחניא סנדל של סיידון טמא.
סנדל של פיידון כלי שיש להם לכנאין שדומה לסנדל
יש שעושין של ברזל ויש שעושין של עץ בשעה שמחין את הבית
במים או בסיד מעבירין אותו עליו ומחליקין בו.
לוין - אצ' ג, כ' שני דף 64 סי' ר"ז.
111. סל' בן פ"ל ח'נ'צ'ב'ה.
ספר מסעות בר נחמנל הכהן.
אייזענשטיין - אוצר מסעות, דף 60.

1. Becker - Der Islam, 1914. - p. 82.
2. Encyclopedia of Social Sciences - Commerce, p. 5.
3. Beasley - Dawn of Modern Geography - Vol. I, p. 35.
4. Legacy of Islam, Law and Society - p. 289.
5. Encyclopedia of Social Sciences - Business, p. 80.
6. Webster - General History, Commerce. pp. 45-46.
7. E. Nys. - History of Commerce, pp. 17-18
8. Legacy of Islam - p. 81.
9. Encyclopedia Islam - Suk - pp. 507-8.
10. Le Strange - Baghdad during Abbasid Caliphate - pp. 64-65.
11. R. Cusset - Civilization of the East and Near East. pp. 193-4.
12. Le Strange - Baghdad during the Abbasid Caliphate.
13. Le Strange - Lands of the Eastern Caliphate.

Basrah, the Persian Gulf port of Baghdad, was famed for its markets for raw silks, jewelries and as the emporium for all ores and minerals. Mosul's marts was the center for agricultural produce, for all grains, fruits and dairy products. Nahavend was praised for its saffron and cotton trade. Ispahan was another center for saffron, silk and cottons and the market for overcoats. Al Jehudiyah was reported as having two

hundred bankers and fifty caravanserais. Siref was the town noted as the main port of Indian goods for its pearl markets, for its cloths, carpets, napkins, linen vests and dye stuffs, as well as for its perfumes of Sere. Tabriz and Ardabai, the center of Adarbayjan, were noted for their kirmis and dyed red stuffs. Tustar and Sue were the great marts for sugar and citron fruits. Jerrift in Kirman was renowned for its indigo, sugar and candles and as one of the centers where the merchants of Greece met the merchants of Hind. Hamun, Tis and Al. Kalif were other important trade centers of the Persian Gulf. Nishapur and Mary were also noted markets for silk and cotton products, foodstuffs, aromatics and brass pots.

14. "Most of the markets (in Damascus) are roofed in but there is among them a very fine one which is open, running the length of the town."

Hakladiasi (965). Palestine Pilgrim Text Society, 1892. p. 15.

15. Thompson - Ch. 15.

Strange - Palestine under Moslems. pp. 239-40, 18-19.

Encyclopedia Islam - Al Shem --pp. 293-5.

Fyfe, Tarabulus - p. 357.

PalestinePilgrims Text Society 1893 - p. 20.

"There are in this town (Haifa) shipbuilders

who build very large craft. The sea going vessels of this place are known as Judi."

(Masir i. Khusrav.)

- 15a. Tripolis the harbor of Damascus held 1000 ships. The tolls of the ships paid for the Sultan's garrison there.

Enc. Islam - Tarsabalus, p. 660.

16. Encyclopedia Islam - Al-Iksandriya, p. 528, Egypt, Cairo, pp. 818-819.

Webster - History of Commerce, p. 441f.

S.L. Poole, History of Egypt in Middle Ages, pp. 140-141.

17. Enc. Islam :

Tunis - pp. 827-9.

Tunisia - pp. 860-1.

Kartiliya - p. 807. , Al Keirowan - pp. 647-8.

Webster - History of Commerce, pp. 44-47.

18. Thompson - Ch. XV.

19. G. Le Strange - The Lands of the Eastern Caliphate, p. 9-11.

20. Von Kremer pp. 25-26.

Legacy of Islam - Geography of Commerce.

21. General References:

Hayd - Geschichte der Levante-Handels.

Maart - Histoire des Arabes.

21. Thompson - Ch. 15.

Le Strange - Lands of the Eastern Caliphate.

Enc. of Social Science. - Commerce, p. 5.

22. "The merchants of Shinar, El Yemen and Persia bring thither all sorts of silks, purple, flax, cotton hump, worked wool, wheat, barley, millet, rye, and all sorts of food and lentils of every description and they trade with one another, whilst the men of India bring great quantities of spices there."

Adler - Benjamin, p. 89.

23. Thompson - Ch. 7, 15.

Heyd - Geschichte des Levanthandels.

Beasley - Dawn of Mod. Geography - pp. 401-2, 422-3.

Herrick - History of Commerce and Industry - p. 120-1.

Legacy of Islam - "Geography and Commerce."

J.H. Kramers - pp. 80-106.

Enc. Islam; Egypt, p. 18.

Bahr al Kulzum - pp. 561-2.

Bahr al Hind - p. 580.

Bahr al Magreb - p. 588.

China Review - Vol. .8, p. 307ff.

F. Hirth - Contributions to History of Oriental Trade during Middle Ages.

Enc. of Social Science - Commercial Routes, p. 21.

24. Itinerant small retailer -- 7217, 7218

הנר = a merchant who had his deputies and agents
the שליח and סוחר - חנוני = the retailer in the
bazaars.

Enc. Jud. - Handel, p. 913ff.

25. Fair treatment accorded to all Jewish strangers.

מכסותי שנה לעיר מקפחין את סוחריו חליהן לא חיה

ולא חנה כזאת בישראל.

מגן אבות - 195.

26. Schipper - Der Anteil der Juden in Europäischen
mit dem Orient.

Der Heimkehr - p. 136ff.

Mann - Response of Geonim as Source of Jewish Hist.

27. of - Schipper - pp. 138-145.

Schipper - Anfänge des Kapitalismus - p. 11.

Enc. Judaica - Handel, p. 913ff. pp. 923-4.

B. Hahn - pp. 22-23.

Mez - Islamic Culture, p. 442.

28. Cunningham - Western Civilization II, p. 49.

29. Islamic Culture 1930 - p. 477.

30. Obermeyer - Die Landschaft Babylonien, pp. 331-333.

- 30a. Enc. Islam - Al Katif, p. 821.

31. ויש לו פונדקאות של ירודים ונשוקים ובמחרי הארץ
מס ירוע בכל שבוע ושבוע.

מסעות של בנימין - Adler - דף ל"ח

31. ובערים אשכנזין סר רב אחרן בר יוסף חסדן ולא בניו
 רבנן מזה אלא מן העיר מזה וזה רב סבא ואין סבא בדלא
 רבא כמתיבא ולא ויהא ראי' לואונוס.
 אגרת שירא - חלק ג', פרק ה' Hyman, p. 103.

32. J. Obermayer, Die Landschaft Babylonien - p. 151

The exact location of the place is given by Le Strange-
 Baghdad during Abbasid Caliphate - p. 150

" Near the bridge was a gate called Bab Abu Kabisah. The
 gate and bridge of canal near an open space known as Al ^Ḥḥasah-
 where lay great rubbish heaps. Here it was customary for those
 who came to markets to tie up their beasts of burden. In the ad-
 jacent quarter was a market for sale of camels, horses, mules and
 asses.

33. מעשה שהיה לפנינו אנו כיום חגגול כי בא לפנינו אל שער
 הישיבה ... קובלים ואומרים כי חזקן רבנא נחום חזקן אל
 בראד' שיגר מן המערב סחורה יפה הנודע כחול (^{ז' נ}) עם
 ספרים... חסוד וזוהר אל מדינה מצרים טוב מינה (את) ר' הלל
 בן יצחק לקבל חבל ולמכור הסחורה ולעלות בספרים לירושלים.
 Mann - J.Q.R. - July 1916, p. 151.

- 33a. ויהיו היהודים לבוא מן ^בנדר ומן בורסן ומארץ יון
 והחזיקו ביד אשתי הארץ.

Mann - J.Q.R. , Vol. 11, p. 438.

34. Finkel - A Risala of Al Jahiz.
J. Amer. Oriental Society - 1927, p. 321.
35. Mann - Studies in Jewish History, p. 477.
36. J. Obermeyer, p. 333ff.
37. Le Strange - Lands of Eastern Caliphate.
38. Mos. Ren. of Islam, pp. 449-50.
39. Beasley - Dawn of Mod. Geography - pp. 418-9
40. "The warden Abu Imran Moses Halevi, known as Ibn Maygan stated before the Bet Din that he had some goods deposited with friends in Sicily. A power of attorney was legalized for Abul Masour Sirha Ha Cohen ben Imran the Elder, known as the Candlemaker - to look after all his business affairs in Morocco, Sicily and other places, as well as houses in Sicily and Spain."
- E. Hershfield - Some Judeo Arabic Legal Documents.
J.A.R. Vol. 16, pp. 279-284.
- 40a. Mann - Jewish Studies, p. 331.
41. קנינו לראות נחת ומרנוע ולנוח מ'נוע
המחורא והליכות סדכרות ופרשת ימים ואולי עם זאת
נראה זרע ונזכה ללמד תורה ונהפך עלינו תולול
ונתרושענו מן הפרוטה ^{מ'ר'ל'ל} Mann I. B#68 - pp. 169-170.
II. pp. 147-148.
42. ודכתיב ראובן ושמע' שוחאפ' ראובן בחרת
ושמעון בקירואן ואחא לוי מבני תהרת ואמר לראובן
שקול האי' דהנא ושדריה לשמע' דניזבניה ולישקול לי
בית עיסקא שלו' ואית לך ביה רביע.
אחא - ח'ג' י'ל' נ' ס' ס' ח'

- J. A. R. Old Series, Vol. 16, pp. 573, 575.

- Goetheil Worrell - Letter IX, pp.45-47.

45. י"ט בת כסלו תשל"ט ארבעים ימים ימים וביניהם תלמידים
חברים וקשרים. -- תלמידים וקשרים - דה ל' Adler

46. Hagd's skepticism of the lack of participation of Jews in Levantine trade is thereby disproven. *you should discuss the evidence just as you must surely refer to*
J.E.B. Vol. 10, p. 810.

47. Schipper - Anfänge des Kapitalismus bei Auenländischen
Juden bis XII Jahrhundert, pp. 24-5.

45. His estate in lands, houses, shops, slaves, horses, furniture, notes, and jewels were valued at 4,000,000 gold dinars. In addition his daughters dowry was

200,000 dinars. Ibn Killis kept 800 harem women besides servants. His body guard consisted of 4000 young men - black and white. His house, the Palace of the Wezirs, was fortified and isolated like a castle."

Lane Poole - History of Egypt in Middle Ages, p.121.

49. His riches were so considerable that only God can estimate them. He had on his terrace 300 vases of silver and in each of them a tree was planted. The great number of the trees gave the terrace the appearance of a garden.

His brother fearing the Caliph promised to pay to the Exchequer 200,000 Dinars Magrebi".

Mann I. p.78.

50. Simonsen - R.E.J. 1907.

51. These merchants (Radanites) speak Arabic, Persian, Roman (i.e. Greek and Latin) the Frank, Spanish and Slav languages. They journey from West to East, from East to West partly on land partly on sea... They take ship from Firanja (France) on the Western sea and make for Farana (Pelusium). There they load their goods on cammels backs and go by land to Kolzom (Suez) a distance of 25 farsakhs (parsangs). They embark on the East Sea (Red Sea) and sail from al Kolzom to al Jar (port of Medina) and Jeddah (port of Mecca), then they go to Sind, India and China. On their return they carry back ... other products of the eastern countries to al Kolzom and bring them back to Farana, where they again embark on the Western Sea. Some

51. make sail for Constantinople and sell their goods to the Romans; others go to the palace of the King of the Franks to place their goods. Sometimes these Jew merchants when embarking in the land of the Franks on the Western Sea make for Antioch (at the mouth of the Orontes) thence by land to al-Jabla (Pal Hanaya on the bank of the Euphrates) when they arrive after three days march. There they embark on the Euphrates and reach Baghdad whence they sail down the Tigris to al-Obolla. From al Obolla they sail for Oman, Sind, Hind and China... These different journeys can also be made by land. The merchants that start from Spain or France go to Sus al Aksa (Morocco) and then to Tangier when they walk to Ifrikiya (Kairouan) and the capital of Egypt. Thence they go to ar Ramla, visit Damascus, al Kufa, Baghdad and al Basra, cross Ahwaz, Fars, Kirmen, Sind, Hind and arrive at China. Sometimes also they take the route behind Rome and passing through the country of the Slavs arrive at Khamli, the capital of the Khazars. They embark on the Jargan Sea, arrive at Balkh, betake themselves from there across the Oxus, and continue their journey toward JurtToghuzghuz and from there to China.

E. Adler - Jewish Travellers

(Ibn Khordadbeh - The Book of Ways and Kingdoms.

Taken from de Goege's Bibliotheca Geographorum Arabicorum, Leyden 1889, vol.VI, p.114.)

52. Jacobs - Jewish Contribution to Civilization, p.122, 196-200
 Heyd - Geschichte des levant handels section - Commercial
 Activity of Jews.
 Mann - J.Q.R. Vol 10, pp.326-329.
53. E.Adler - Jewish Travellers, pp.2-3
54. E.Adler - Jewish Travellers, p.73
55. היו נותנים חותם של מים לעוברי דרך לסימן כי ברשות
 מלכות הן עוברין ומי שאין עמו החותם מעכבין אותו שומרי
 הדרך מלכת הלאה.
 גמ"ס - מפתח - 50
56. כך כנהג העולם שהחמיר מנהגו לחמיר מאחריו ונמל מנהגו
 למשכו לנפניו, ואדם אחד שיש עמו חמור וגמל מבקש לעמוד
 באמצע כדי שיהא חמור מלפניו ונמל מאחריו.
 לוי' - אצ"ג, כ"ג ס"ו נ"ו דף 21.
57. שאלתא דמרנא ורבנא יהודה ראש מתיבתא.
 ראובן שנתן לשמעון והובים להולכים עמו בשיארא לתת
 אותם ללוי ונמלן ויצא וכיון שהגיע למקום לוי חבק ממנו הוה
 החובים ומען ואמר קרעו דיסקיא שלו בדרך ואינו יודע היאך
 נקרעה ולא באיזה מקום...
 ... ואף בכניסתו למקום לוי שאלוהו הסוחרים מה ארע לך
 ואמר שלום הוענו ובשלום באתי.
 אסא - ה"נ ס"ו רמ"ז דף 146.
58. Mann - Texts and Studies in Jewish History, p.137.
59. Mann - Response.
60. את בניו ללכת ארצה כנען זה ימים ויחנה בארבל ויסע
 בארבל סהליך (?) ימים ויחנה באשור ויהי בבוא אשור... וירא

והנה אורחת ישמעאלים באה לקראתו... ויאמר להם אחי מאין
באתם ויאמרו מצובה באנו ויאמר להם מה הדרך אשר באתם
עליה ויאמרו לו את כל המוצאות אותם, ויאמרו לו אנשים
רבים מתו בדרך מרוב השלג וחזקת הצנה... חרף היה.
J.Q.R. - Old Series, vol.XIV, pp.501-503.

61. וכן מי שהלך בדרך כגון בני ערב שנוהגין לכנא (אל
מצרים) בשירות והדרך ארוכה היא למאד ורוב שכיבתם במדבר
(שרירא גאון - מבוא ספר עתים ע')

דינבורג - ישראל בנולה, חלק א' דף 9-118.

62. לוין - אצ' ג, כ' שני סי' תס"ד דף 156.

Desecrating the Sabbath.
סי' קי"ב, דף 44.

לוין - אצ' ג, כ' שני סי' שו"ב, שו"ג.

Eating Gentile Food

מיללער - מפתח דף 84 Baking unleavened bread

לרב פלסטי

63.

ושוא - מי ששלך בדרך ונזדמן לו יום טוב והוא

במדבר והלכה מעליו השירה יש לו חזק לחלך או לא.

כך ראינו - אם יש שם סכנה בשבת אם מפני היה

רעה או צנה או חמה או ליסמים או כיוצא בו יש לו רשות

להלך כדי להגיע אל השירה ולא ישב בסכנה אלא שמעיקרא

כשהוא בעיר או בשוב צריך לחשוב אן ישיבות בשבתות ~~ואם~~

ובימים טובים ואם חשב ומתחדש לו דבר בדרך פסור הוא

ומהלך מפני הסכנה ואין בכך כלום.

לוין - אצ' ג, כ' שני סי' תס"ה דף 156-158.

Comp. ר' יהודאי גאון, לוין-אצ' ג, כ' שני סי' תס"ד, דף 156.

64. Mann - Response. His references are

Ginzberg II 150 ת"כ 423 - נ"ח

נ"ו - 41,77, נ"ס 94.

Bodleian 2876³¹; 277; 2137, ח"ג 277.

65. ראובן ב.. שהיה למצרים שינר סע' מ"ו לקנות לו
בה מחורה נכנס למקום שמו אנרכיה, ושבו שש למצרים,
יצאו עליהן ליספין וכשהגיע למצרים כתב לשותפו בכל מה
שאירעו ובה כתב לו כשהגיע לאנרכיה שכרתי על כל משאות
שהיו עמי מן הקרביים וכל זהובים שהיו עמי שינרתיים ביד
מל' גוי ספני פכנה הדרך ולא השארתי אלא שלשה עשר זהובים
של סע' נחירתי לשנרה עם הנז' שלא לעבור על דעתו ויצאו
עלינו לספין ותפשו השיירה כולה והפשימו כל מה שהיה עלי
והניחוני קרוב ועמדו לשחמני וכיון שראיתי כך אמרתי בלבי
כל מה שיש עמי אין לי הצלה מידם מוטב שאומר להם שיש עמי
זהובים ויניחו אותי, אמרתי להם יש לי בדלוקסקא מ"ו
זהובים וכמו עמי למקום השיירה, פתחת הדלוקסקא והוצאתי
מ"ו זהוב של סע' ונצלת בהם והרי אני משלם לשע' הצ'י
מסוננו בשביל אהבה שיש ביני לביןנו ואמר סע' זה הציל

עצמו במסונני והכל ישלם לי אין הרין.
Ginzberg II, p.150 line 28 to 151 line 11.

66. Ginzberg II, pp.144-145.

66. ואמר רב'נו הא"י לענין שיירה של חוננים הנאה
בחולו של מועד יש כמה שנסכר להם שער, וכשהגיעו באין
לידי הפער והסרון שער וכן כמה שהן סוכרין, אם אין
לוקחין מהן,
כך ראינו, אם אין לוקחין מהן אי אפשר ליקח

כמותו לאחר מכן ואחז למד כי ליקח משיירות של חוננים
ולמכור מן השוק מותר בחולו של מועד.

לוי'ן - אצ' ג, מס משקין ס' י"ג דף 12-13.

67. לרב האי גאון

הא דאמר רבנן אין מפליגין בספינה פחות מנ' ימים
קודם השבת מהו לנהוג מנהג זה בנהרות גדולות כגון
דגלה ופרס ונילוס של מצרים וליכנס אדם בספינה שלשה
ימים קודם לשבת ולישב בה בשבת כשהיא מהלכת או אינה
דומה ספינת הים לספינת הנהר לפי שבים מתרחקת מן היבשה
ואינו יכול לצאת ממנה כל זמן שירצה ובנהר מתהלכת
בקרב ליבשה וכל זמן שמבקש יוצא או איש סעמא אחרינא,
ובני מצרים וכפירה היו נוהגין איסור חמור בנילוס שלהם
והיו ממחרין לצאת מן הספינות בערב שבת עד שבא אצלם מי
שהתיר להם ועדיין מקצת נוהגין בו איסור היאך רפוי לעשות,
אנו לא שמענו מאבותינו ולא מחכמי שתי ישיבות
מעולם מי שהתיר לישב בספינות הנהרות לא בצגלת ולא כפרת
ולא בנילותם ואיסור הן נוהגין בדבר זה, ומי שבא והתיר
את הדבר הזה לא יפה עשה כי אפילו היה מותר פתח הוא
לכמה קלקלות.

לוי'ן - אצ' ג, כ' שני דף 18 ס' מ"ו.

68. Mez. Ren. of Islam - Islamic Ren. p.442.

69. ויש להם שם ספינות ליהודים בים.

מסעות של בנימין Adler דף כ"א.

70. שאלו מקמיה מרב יהודה גאון ריש מתיבתא

ספינה שנכנס לנמל והיתה בהו ך החחום מבעוד יום
 מהו לירד ממנה בשבת ואמר מותר.
 ספינה שנאה מחוץ לחחום בשבת מהו לעלות לה בני
 העיר בשבת.

תש - לא ירד מן הספינה אבל אם באו אחרים ורוצים
 לעלות בספינה לאכול ולשחות עמו אם יש סולם או לוח
 שעולים ויורדים בו יעלו ובלבד שלא יורידו מן הספינה לא
 מה שהיה בספינה ולא מה שחבאו אליה.

לוי'ן - אצ' ג, כ' שלישי דף 33 סי' פ"ט, צ' (צא)

Comp. צב

מיללער - מפתח דף 68, 66.

Comp. לוי'ן - אצ' ג, כ' שני סי' שנ"ו-שנ"ט.

מוספיה - ה"ג דף 18-19 סי' מה Shechter-Seadyana
 J.Q.R. p.127.

71. ועוד שת" ספינות שהיו קשורות זו בזו וכנש מונח

מספינה לשפת הים או לשפת הנהר שעשאו גוים לעצמן מותר
 לישראל לעלות ולירד בהם בשבת

לוי'ן - אצ' ג, כ' שני דף 115-6 סי' שנו-שנט.

Comp. מיללער - מפתח דף 132.

718. ולגבי שמפליג בספינה קודם הפסח והוא מספינה ואין

דרכן של מפרשי הספינה להדליק בה אש ואינו יכול להתעסק
 בעסקי הפסח מאי תקנתיה.

לוי'ן - אצ' ג, כ' ג' ח' שני סי' מה דף 19-20.

= Shechter - Seadyana, J.Q.R. p.127.

רב יהודאי גאון - מהו לשכור רשות מן הגוים לסלול בכל
הספינה ואמר לא צריך.

מוספיה - ח"ג דף 18, סי' מה

מפתח 38

חורוין תורתן של ראשונים, חלק שני דף 7.

72. ששאלה מי שהלך למדינת הים ואשתו חובעת מזונות יכול.

הרכבי - ח"ג דף 108 סי' ר"ל.

72a. Mann reports all these conclusions in his study of
economic conditions thru the Responsa. He refers to
the following: a) R. Nakhshon 42 # ח"ג

b) R. Saadya 8# b 78 ש"ץ

24# b40

13# ,34 II חש"ר

c) Spain and Kairowan- R. Semah 19# נמו"ס

To Kabes 59# ג"ה

9 37# 31 II חש"ר

from Tlemsen 37# ג"ה

Spain and Ispikiya - 49# ח"ג

d) J.Q.R. XVI 573ff

73. ר' צמח בן פלמו" גאון

וששא - וששא - ראו' דעבד שותפותא עם שמע' ואחנ'י

בהדי דלא ליפרוש מיניה אלא באנפוחי. ואזל שמע' לדוכתא

רחיקא ועבד החם סחורתא כמה שני ושקיל וטר' עם אינאשי

וממא לידיה רואחא טובא ובתר הכין בעא למיהדר ועייל

לפמ"נתא איהו וכל מה דאית ליה עם יהודא' אחרינא וכד
 איגון אזלין חברה נחשול לחהיא ספינתא ונפקע ערטילאין
 לאיי הים ואיתכד כל מה דהוה בידיהון ויחיבו להון כההוא
 איי הים ואתו עליהון אינאשי דלא חזי להון יהודא' מעולם
 ובעו למישבא יתהון ואיתרחיש ניטא ואיתלו מנהון ערטילאין
 ואזל שמע' דגן בחר כן ושקיל וטרי באנפיה עם בני אינשא
 וזבן מילתא דאית כה סכנתא דאכריו ההוא מלכה כל מאן ד
 דובין ההיא מילתא פסקון ליה למאשיה וכל יהודא' דהוה חתם
 אשבעונון כי היכא דלא ליזביגון ההיא מילתא אזל וזבן שמע'
 דגן ההיא מילתא ודחה כהשובא בחר כין מטא ליה (זיאנא)
 נזק וחסרון ואזל ההוא רואחא ולא פש בידיה אלא פורתא דדר
 שקל צרי טוב ורווח בחר הכין אתא ראו' וקא חבע ליה לשמע'.
 אספ - ת"ג דף 77-8 = ש"ץ דף צ"ג ע"א.

74. Mann- Response quotes 216# *לחול*

שמ' שהיה רגיל לילך למדינת הים ורא' היה מתקן
 סחורתו לילך לאותו מקום וכאשר ידע דעת שמעון התנה עמו ל
 ליתן כל הריוח שיוזמן לו המקום בקניית ל' דינרים בפרק-
 מטיא שלו כמין שקנאה עבור שילם. ויבאו שניהם ירודין
 לפי שהיו מכירים שרי אותו דרך ויאותו זה עם זה ובהתחזקם
 בדרך נזדמן לרא' סכנה בעיר אחת ובלא דעת שמע' נדר ה'
 דינר לשר אחד שילום באותה סכנה. ובבואם לעיר אחת שהיתה
 על שפת הים הניחו שם ממוןם והלכו למדינת הים ובהיותם שם
 נתיעצו לילך עבור ממוןם ורא' לא מלאהו ללכת מפני הסכנה
 ואמר לשמע' לך ועשה מה שתוכל והלך שמע' ומצא הממון בעין
 יפה ומוכס ... כל המכס שמויע לי על הממון נתון לך עבור
 דרונות וכבוד ששית לי.

75. Gottheil Worrell - Genizah Fragments, Letter IX, pp. 45-47.

76. הלכו עם פרקמטיות למרחק מעבר לים והי היום וילך
איש באניה עם סחורתו ויטבע כי לא יכול לשחות והמחמדינים
והנוצרים שהיו עמו נצולו ויראו גזית המת ולא פניאוח
היבשה מפני אונס השלטון.

מפתח - דף 28.

77. אמרתי אלך אל מצרים ולא התמהמהתי ויצאו עלינו לספיס
טורפים וחוטפים כעיסים ומידי מות נצלנו אחרי חבורות מרות
ונמלטנו כמה פעמים מזעף הים וגליו ופישון ועקולי שביליו.

Mann - Vol II. - p. 39.

78. Mann - Texts and Studies in Jewish History, p. 45.

79. Mann - Texts and Studies in Jewish History - p. 347.

80. Mann - Responsa; J.Q.R. Vol. 9, pp. 163-4, 176-7.

81. מר רב יהודאי גאון
המלוה את חברו ובקש לצאת למדינת הים ועדיין לא הגיע
זמנו לפרוע לו י"ש לו לתבוע ואמר לא.

מוספיה - דף 18.

82. רב האי גאון ז"ל

והשאלתון - ראו אית ליה שותף במדינת הים ואמר ליה
שמע' לרא' כתוב לשותפך דיזכון לי מידעם ולשדריה לי בהדי
מאי דמשדר לך מעסקא וכתב ראו' לשותפיה וזכנן ההוא מידעם +
ושדריה בהדי עיסקא דרא' וטבעא ספינתא והשתא קאמר ליה ראו'
לשמ' מתחייבת לשלומי דמי ההוא מידעם דאת גרמח לי אכודיה...
שערי צדק - חלק ד' שער ב', כ"ד דף מ' ע"ב.

83. The Karaites did not accept the Rabbinic method of meat examination בדיקה . They on the other hand, prohibited the slaughter of pregnant animals. They also differed from the Rabbanites in their method of calculation and hence the festival days did not concur.

Mann I - pp. 134-136.

84. מי שהיה מוכר פירות בשוק, (ח"ג - סי' ב)
דיבור - ישראל בנולה, חלק א' דף 123.

85. ר' משה גאון

והלכתא כל ביום כולו זמן הנחת תפילין.. (ועד מהי
מסקנן ר' יצחק אומר עד שתכלה רגל מן השוק ר"ח ורבה בר ר"ח
מצלו בהן באורחא).. וכמותן אנו עושין.
לוי' - אצ' ג, ח"ג דף 74 סי' קפ"ו.

86. שר שלום בן בועז

ומסקומות שקובעין שווקים לע"ז פעם אחת בשנה ובאו
סוחרים וסוחרין שם ולכנסמין גובין מהן מכס לשום עבודה זרה
והשוק נקרא על שמה עבודה זרה פל' אסור לבר ישראל לילך, לשם
סחורה.

קאסנעל - ת"ג סי' י"ז.

Comp. מיללער - ח"ג דף 22 סי' כ"ג R. Natronai Gaon

87. ראובן ושמעון היה שותפות ביניהם שהיו מוכרים משי
בשוק בחנות אחת, (שו"ת הרי"ף ע"ז)
דיבור - ישראל בנולה חלק א' דף 122.

88. בכ"י אוקספורד 2667. ושאלית (צ"ל ושאלת)

ראובן מן בני קירואן הוי ליה חנותא ודרתא במדינא

ואתו יורשי דראובן לבני דינא דקירואן וכו'.

מוזנסקי - אנשי קירואן. Harkavy-Festschrift, 1908p32.

In מונה was an important Jewish community called . It had a great deal of saffron and iron and silver mines. From that city one heaved many grindstones which were exported to Kairowan and other cities of the west.

(Yakut and ed. by Wustenfeld - Vol 4, p. 417)

Between that city and Kairowan a distance of 25 days journey - a great deal of trade developed. The wealth of the city with its various quarries must have attracted many Jews to settle there.

אסף - ח"ג דף 2.

89. ואני מבקש אותך שתקנה בשביל קרובתי צביה צעיפים...

ירוקים בעשרה דינרים וצעיפים... כחולים בשלשה דינרים.... ואני מבקש אותך שתשגיח על חנותי ותמלא את חובתך לי בלב ישר ונאמן וד' יעזור ויסעדך.

מה ברמלה היתה מנפה... שכננו על ערש דוד... והרבה מאד חוצצתי מעת עזבתי את החנות.

R.E.J. - Vol. 56, pp. 237-242.

90. ומי שהוא רגיל ליטול מן החנוני כיום טוב ואינו עושה

חשבון עד לאחר יום טוב מותר.

לוי' - אצ' ג' מס' יום טוב דף 6-35 סי' פ"ט

Comp. לוי' - אצ' ג' מס' משקין דף 12 סי' י"ב.

91. על חמשה דינרי ויהיב ליה חר זוזי נכיתא. אתנאי
 תריהון למיחרר בהון עד תרתין שנין. וכיון דשחא שא ופלגא אתא
 לוי ואמר ליה לראובן אבוי לי חזא חנותא ואנא יהיכנא דינרי
 דפרעת ליה לשמעון. שלח ראובן אמר ליה לשמעון שקול דינרי
 דיוזיפית מינך ושכקא לחנותאי אמר ליה שמע' עד דמשחלמימנא
 תרתין שנין ראית לי עלך ואמ' ליה ראובן הא אית לי חנותא
 אוחרתא דקרינא לחדא חנותא דמישחלמא מינה תרתין שנין, אמ' לא
 נפיקנא דחזקא דילי מהאי חנותא... הכין חזינא דשלא כדין קאמ'
 ליה ראובן וטענתא דשמעון טענתא מעליתא היא ולא יכיל להנפוקיה
 עד דמלאין תרתין שנין.

Ginzberg II - pp. 157, 162-3.

Comp. ש"צ - חלק ד' שער ב' סי' מ"ח דף מ"ג ע"ב.

92. ראובן ושמעון ולוי הלכו ממקומם להתעסק בסחורה לעיירות
 ויצאו עליהם קול שנהרגו **בדרך**
 (שו"ת הרי"ף סי' קי"ט)
 מי שיצא בסחורה לעיירות של מצרים והיה משוי שלו ככד ובא 92
 למדינה אחת והפקיד מקצת פרקמטיא שלו אצל יהודי אחד.
 (חמדה גנוזה - כ"ז)

דינבורג - ישראל בגולה, חלק א' דף 123.

93. ושאלת - סוחרין מחזרין בעיירות ובכפרים ומוכרין
 גרסאות ומשתן וצמר ובשמים וקובצין חטים ושעורים ושעור ושאר
 דברים ונוטלין ממון מבעלי בתים על שעה ועל חמין ושעורין
 ופוסקין עמחן כך וכך קפיוזים בדינר ונוטלין ממון וקוגין מקח
 זה ומוכרין להם ומרויחין...

Ginzberg, Vol. II. - pp. 74, 80-line 1ff.

Chapter IV

94.

לרב עמרם גאון

ושאליה מקמיה שכונת ישראל זו כצד זו ורשות הרבים
עוברת ביניהם ופותחין מכאן ומכאן לרשות הרבים. עמד אחד מאותן
בני חצרות וסתר חצרו ובנה כה פונדק או חנות מוכרי פירות
יכולין בני אותן החצרות הפתוחות לפונדק או נוכח החנות לומר
לו יש לנו הזק שאין נשותינו יכולות לצאת ולבא שכאים הכל
ויושכין בחנות או בפונדק מצי לעכבו אי לא.
הרכבי - ת"ג דף 262 ס"י ת"ק' ל"ג.
Comp. אסף - ת"ג דף 116 ס"י ר"ג.

95.

ר' כהן צדק

וששאלתם - מהו להשכיר ישראל פונדקו פורנו ומרחצו בכל
שנה ושנה ובכך וכך יש תקנה לשכירותן או לאו. כך ראינו...
פונדקו מותר להשכיר בכל שנה ושנה ואם רצה בכל חדש וחדש
משכיר לו ואין בכך כלום.
מיללער - ה'פ דף 8-67 ס"י קכ"ט.
ר' יוסף גאון

וכן מרחץ של ישראל אסור להשכירן לגוי לפי שנקרא על

שם ישראל.

מיללער - ה'פ דף 67 ס"י קכ"ז

Comp. מיללער - ה'פ דף 28 ס"י כ"ו (1).

מיללער - מפתח דף 88.

96. variant

ומירושו רבנו אסימון הניחנין (הניחנות)

reading all other Mss. בסימן לבית המרחץ כך מנהגן

במקומות הללו שמקדימין (לשלם לבעל הבית) לבעל המרחץ עשרה

פעמים שוכנסין לו בכסף אחת ובעל המרחץ נותן למקדים הזה עשרה

המבטות שלנחישות שהן סימן כי נחשב סמנו שבר עשרה פעמים וכל
זמן שמביא לו נאכע אחא מין אוהם המבטות נכנס למרחץ ורוחץ....
ועוד יש מנהג לנחשין שמקבל הנחום דמי מאה רטאלות
ונותן ללוקח מקוה של נחושא בסימן ועל זה סימן רטאל ועל זה
סימן שהי רטאלות וג' ודי' ובזמן שמביא לנחום (מל)
אחר נוסל חסיעור מה שעליו וכן הסבלים לכל פעם ופעם נוסלין
סימן וכיוצא באלו"

Ginzberg II p 2-4

97.

ר'חאי

ושמא - ראובן אצטריך לזבונא ארעא דיליה ובעיא שמעון
למזונתה... ואמר ליה ללוי ויל לגבי שמעון לזבונה (מיניח) ואני
אחן לך אגר שרחך כך וכך וזו. ושקל וסרה ביניהו וסרה עד
דאיחרצו להרדי וזבנה שמעון....
שערי צדק - ח"ה, שער ל' סי' ל דף סי' ע"א

Comp.

מיללער - מפתח דף 240

ר' רוצה לזבון קרקע ואמר ללוי מכרה לשי ואני אחן שבר
סרח וזבנה שמי'...

98.

רב נחשון גאון

ושמא - ראובן זבין ליה לשמעון כורא דחיימי בדינרא ושקל
ראובן דנרא ומשך שמעון חלחא רבעיה דכורא ועיליה לביהיה. והדר
למישקל החוא ריבעא דפס ליה

שערי צדק - ח"ה, שער ו

סי' ג דף ע"ז ע"ב

99.

ר' נחשון

ראובן שמכר ביה חייסין לשמעון והראח לו אה הבית ולא חיה
יכול לכנוס למקצה הבית

מיללער - מפתח - דף 135

100. לוין - אציג כרך שלישי
חלק שני דף 5 מי ייד
חלק שני דף 21 מי מיז
101. ראובן סכר לחסעון מסוי של פלפל בפפינה
(רי האי להנגיד מקיריאון קהלח שלמה ע"א)
דינבורג - ישראל בגולה חלק א' דף 120
102. Neubauer & Cowley. Cat of Hebrew Manuscripts p.396#133
103. J. Q. R. - Old Series 1907 - p. 736-7.
Worman - Forms of Addresses. (T.S. 13^J 14²)
104. J. Q. R. - Vol. 16 p. 285
Judeo Arabic Legal Texts. Bet Din Fustat 1115-1118
- 104a. The fragment suggests that inquiries be made in the name of Meborah son-in-law of Sado^M (1055) from Ben Shaya an official of the merchants, about spiced oil he has in his possession.
- גם אני אצלו. מזום מרב סבורך חחנינו לבקר ולדרש ולגלות
מהפסיד הנודע בן זעיה על דברה השמן המסומם שיש לו אצלו ולקחה
מנו דמיו וחזונו. בפיח. כי כבר כתב אליו להחזיר לו בלי איחור ואם
יבקש ממנו כיר (signature) באשר יקח ממנו יטריח על כבודו
Mann I p. 101
Mann II p. 107
105. רב יוסף בר רב יצחק
וזא - המוכר פירוח בכרם להכירו בין נסל ממנו מעזה בין לא
נסל ממנו מעזה וירדו גשמים ונפסדו או שספ מהן נהר כלום יש לו הנאה
או, לא...
סיף ח"ה שער וי כיא דף פ"ב ע"א

106. ולענין חסרים ששא' בי מביאין אוהם בחסרי ונמצאין לפני המועד
ובמועד ולאחריו ואפסר ליקח קודם לכן ולאחר מכן אלא שלפעמים נפטר
בזול במועד מי חוזקין שם הנשאר לאחר המועד נמפדין ורובין ליקח
בחול המועד

לוי' - אציג מס מסקין דף 12-13 סי' י"ג

107. Halper - *Catalogue of Genizah Fragments in Phil.* p. 75.
The probable author was Hefes b. Yasliah, Samuel b. Hofni;
or R. Hai
108. ראוי וגין ליה מסארא לשמע'

שי' היה שער ו סי' ד דף ע"ה ע"א

109. רב נסיונאי גאון

ושא - שמביאין גוים שרים ואילים ועתידים סחוז לחסום באחר
בזבת ובערב זבת ופעמים שחל יום טוב להיות יום חסוק ואינו ידוע
אם על דעת ישראל מביאין או על דעת גוים מביאין סוחר לישראל ליקח
סחן או לאו

לוי' - אציג - כ' שלישי דף 25 סי' ס"ד

110. Ahmad ibn Tulun forced a loan of 20,000 dinars on the
Christians. To pay it the patriarch sold church lands. He
sold the Jews the castle of Shama' the property of the
churches in Alexandria and the herds of camels of the mona-
stary of Macarius.
Tretton - Caliph & Non Muslim Subjects p. 130
111. Gottheil-Womell - Genizah Fragments
Letter 35, Page 163 date c 1150

112. לרב פלמוי גאון

ושא - רגילים אפננזים לבוא אצלנו כסחורה בימות פחם וריצום
פחם בימות הגשמים ובזבאין שוכרין את בגדים שלנו ואזורים שאינן שוין
כלום כחזומעין מסירה אחרת שריא חבוא אחרתן או נזדמן להם יציאת
מסחרין לקנות הכל ולמכור הכל בחולו של מועד באין גוים ועושים עמם
סחורה - מי שזימן להם כל חשנה או אשה עשמה בגדים למכור פחם ולמכור
להם...

לוי' - אציג - מס' מסקין דף י"א סי' י"א

113.

רב מעדיה

שבאו לפנינו לדין ראובן ושמעון, וסען ראובן שנחן לו לשמעון
אלף דינרי וחב חסר או יחר מעט ועסקו במחורח משי והעסק הזה חביא
ריוח

הרכבי - ח"ג ס"י הקנ"ו

114.

רב נחשון גאון

רגילין במקומינו לקנוח בדים בזול ואין להם מחורח כמותה
ויש לנו בהן ריוח הרבה

(ש"ץ - שער ו ס"י כו)

דינבורג - ישראל בגולה חלק א דף 119

114 a.

פרקסטיא שאין לה שער כגון צמר ארנקים בגדים מעולים או

וחב שלפעמים עולה בדמים ופעמים יורד

(ח"ג ס"י ח"ב)

דינבורג - ישראל בגולה חלק א דף 119

115.

יצחק בר אברהם (of Magreb before 978)

חניה עזבין אצל קימוי בר אלחנן במצרים וחיא פרקסטיא ולאחר

פטירה יצחק זה הגיע לכאן מאצלו (from Kimmol) פרקסטיא על יד רי

נסים בר זכריה הניכר באל מחארה הוא שסמים דמחקרי ניל שאמי

(Syrian indigo dye) שני נוצחו דמחקרין גראבין משקלם קנסאר ועשרים

ליטרא בנוקחיו והגיעו לכאן

116.

Mann - Studies in Jewish History p. 359, 361-2
Neubauer & Cowley Cat. of Hebrew Manuscripts
p. 363 # 23

117. -

Gottheil Wortell Genizah Fragments Letter 14 page 75

118.

ראובן שעשה מחורח עם שמעון וקנה ממנו ב' קנחרים מן כרמו ושם

לו עליהם כמסכון ג' בגורים

(ג"ס סימן ק"ן - לב. משולם)

דינבורג - ישראל בגולה חלק א' דף 119

119. J. Q. R. - Old Series Vol. XVII, p 427-429

Abrahams - An Eighth Century Genizah Fragment.

120. On the 23rd of Rajab A.H. (May 28, 1067) Letter from Katyad Sinai to a Rabbi in Fustat. On Wed. the 7th of Tammuz, of the arrival about 150 camel loads and.... the merchants who are in it are from Damascus and from Nablus, and from Gaza, and a Halibi merchant and the Syrians who are in it... & 5 sheiks of the Jews...they bring soap & almonds.

Gottheil - Wormel Letter XVII p. 229-231

122. ראוי' שקנה זהב מכוחה משפסון פחוראה בהקפה לחרש אילול

כל משקל ביי"ב וזו וקבעו זמן לערב יו"ה

פזרי צדק - חיד פזר ב' ד' דף ל"ד

123. Mann - Responsa

(ג'ם - ס"י 165)

124. Gottheil - Wormel. Genizah Fragments Letter XIV p. 75

125. A. S. Tritton Non Muslims p. 147

126. כלי זכויות וכלי עזר וכלי מחכות מחגרי ישראל קונים

מן הארמים ובאים בני ישראל וקונים מחגרי ישראל

(חשובה הגאונים מכח"י) הרכבי הפלס שנה ב צמ 75

דינבורג - ישראל בגולה חלק א' דף 120

- 126 a. ~~Caro~~-Social und Wirtschaft+leben

Vol. I p. 125

125a. Caro - Social und Wirtschaftslieben, vol I, p.125

127. Le Strange - Baghdad during Abbasid Caliphate, p.92

128. ה"ר יצחק בן יצחק "השולחן ערוך" ח"א פ"ק (ד'תק"ל)
בבלי שו"ת ח"א פ"ק (ד'תק"ל)

129-130 - 225 77

129. The physician Ephraim ibn Al. Sa-faran (d.1068)
 once sold 10,000 manuscripts. At his death he left
 more than 20,000 manuscripts.

S.Krans - Geschichte der Jüdischen Ärzte, p.11

130. Two portions bound in vellum... One portion
 bound in black... and one in red. A portion, paper-
 bound in red leather in which is the Haggadah to
 Lamentations $\frac{1}{2}$ dinar.

Thirteen quires which I procured on vellum in the
 handwriting of Rabbenu Nissim in which are the decisions
 of Rabbenu Ashi and explanations of words used in Mishna
 now, ד'תק"ל and a commentary on first Halacha
 of Berachoth.

$\frac{1}{2} + \frac{1}{2}$ dinar.

Studies in memory of I. Abrahams.

Gottheil - Tit Bits from Genizah, p.155ff.

131. History of the Mahdi - Founder of Fatimid Caliphate in
 North Africa.

History of the Abbasids and Barmakids - Note 102, p.670

Translation of work by Hunain b. Isahak - Note 103, p.670

(see Steinschneider - Heb Übersetzungen)

131(cont.) Arabic translation of Aristotle's Ethics, Note 108, p.671

Note 108, p.671

Tract by Arab philosopher Yakub b. Ishak al Kindi

(First half of ninth century) Note 118, p.671

Poems of Condolence Note 122, p.671

Vaticum by Jezzer Note 130, p.672

(Steinschneider B.c. p.703 ff.)

Story of Alexander the Great Note 153, p.673

(Steinschneider B.c. p.540)

A volume containing 3 books in logic

Note 214, p.676

Digest of Ibn Sha adans work on syntax

Note 244, p.678

One of Al Razi treatises on medicine

Note 257, p.678

A work on value of words and manifestations

Note 282, p.680

Work on Indian plants and fine scents (medicinal)

Note 284, p.681

The Pandects of Ibn Serapion on Medicine

Note 297, p.681

Treatises on medicine by Kosta b. Luka - a Christian
philosopher, mathematician and physician of

Baalbek 9th century Note 301, p.681

Aphorisms of Hippocrates translated into Arabic

by Hunain Ishak Note 301a, p.681

131cont. A work of Galen called *ḥayyūn*: evidently an Arabic translation .

Note 302, p.681

A list of kinds of kohl (antimony stibium) by Hunain b. Ishak in Hebrew letters

Note 309, p.681

A work in Arabic letters on Indian (decimal)

multiplication

Note 311, p.681

Mann - Studies in Jewish History. Notes in Books listed, pp.668-681.

132. רבינו אבי ו'ל - וס' שקום ספרים ספרים וספרים וספרים

ע"פ כהן אברהם דריסין לראות מה ששם הקלף והמחבר והם י"ט

כהן אברהם בחבורת ספרים הקדמה חיים להחזיר לו אברהם. והם

האברהם ספרים האברהם שבתן א"ן הקדמה חיים להחזיר כלום וס' י"ן

ע"פ דין כלל לפי כהן דריסין.

שקרי דק - ח'ד שקר א' כ'ו' דק ל'ו' ק"ס.

133. Abrahams - p. 107.

(191)

134. ולקחין מה שכתוב בו י"ט סוף ספרים ספרים ספרים

ס' וספרים ספרים ספרים וספרים ספרים - א"ס וספרים

כך ס' ספרים חיים כל אדם ספרים ספרים ספרים .. לספר

ספרים ספרים ספרים וספרים ספרים ספרים וספרים ספרים

ספרים וספרים ספרים ספרים

שקרי דק - ח'ד שקר א' כ'ו' דק ל'ו' ק"ס.

Comp. ספרים ספרים - ספרים ספרים

Mann - Responsa, J.Q.H. - Vol. 10, p. 130ff.

135. ספרים ספרים ספרים ספרים ספרים ספרים

ספרים ספרים ספרים ספרים ספרים ספרים

ספרים ספרים ספרים ספרים ספרים ספרים

ספרים ספרים ספרים ספרים ספרים ספרים

ספרים וספרים ספרים ספרים

Cat. Montifiore Library - 33#128 as

Mann - Responsa, Vol.10 - p. 131ff.

137. The state of affairs continued till Abdullah ibn Said ibn Abi Sarh ruled over Egypt. The Nubians asked for peace and conciliation from Abdullah who granted their request the terms being that they offer as a present 300 slaves per annum, and that the Moslems offer them a present of food equivalent to the value of the slaves...The Caliph al Mahdi ordered that Nubia be held responsible every year for ⁽⁷⁹¹⁾ 360 slaves and one giraffe and that they be given wheat, vinegar, wine, clothes and mattresses or the value thereof.

Nitti - Translation of Al Baladheeri, "Futah al
Buldan" (c 890) pp. 379-381.

ובמחזוריבין אנשי אגודת לשלול שלל בארצן מולכים עם
לחם וחטים וצמקים ותאנים ומטלילים אליהם ובאים אחרי המאכל
ומביאים מהם פנאים הרבה ומצרים אותם בארץ מצרים ובכל
ממלכות ארץ מצרים והם העבדים המצוררים בני חם.

מקורות בויסין

Adler - pp. 96-97.

The slave treaty remained in force till Mamuluk times.
Lane Doole, History of Egyptian in Middle Ages. p. 23.

138. General References.

Islamic Culture 1930.

Bukhan - pp. 130-140;

R. Levy - Sociology of Islam, pp. 94-116; pp. 117-118.

C. Day, History of Commerce, pp. 37, 79.

L.Poole-Arabian Society in Middle Ages, pp.250,253
 Cambridge - Medieval History IV, pp.276,286,315
 Bury - History of Eastern Roman Empire, pp.234-5
 Legacy of Islam, Law and Society, p.292
 Kremer - p.44 ff.

- 138a. Khalif el Dhakir purchased many collections from Abu Saad - a merchant banker. He also purchased from him a black Sudani slave who bore him a son who later became ... raised to the throne. His mother became an influential factor and brought into prominence her former master Abu Saad (c1040).

Caro - Vol I, pp.265-6

Mann - Vol I pp. 76-77

139. B. Hahn - Die Wirtschaftliche Tätigkeit der Juden in Frankischen und Deutschen Reich bis zum 2. Kreuzzug, pp.23, 79-81, Islamic Culture 1930, Bukhsh, p.133

140. Jacobs, Jewish Contribution, p.200.

141. Abrahams - Jewish Life in the Middle Ages, p.98.

142. Mann - Responsa

143. רבי נחמן - מליצין סקולריות קטנה עדיין כולל רמ"א
 דאס באנדט ספוטא סאט לעבן דאסער סאטן ענדערן זיין
 יארק בלל אטא אטא ספאט וויא לוי סאט ריזא ספאט סא.
 ש"ס - שער 1 דף ב"ה ע"ב.

144. Jews were charged with engaging in the occupation of eunuchs (A.S - Tritton, p.93) according to Talmudic law Jews were prohibited from castrating their slaves, Geonic responsa indicate that this task was done by non-Jews... Mann - Responsa.

143. וישראל שוכנתו למל וקמחן עבדים וסרסוריים קטנים
 ובה השלחן ובהל אומן ובהו לו עומד וביסוחו...
 אסף ח"ב, דף 39 כ"י צ"ב.
145. ערב וחרונא" נאון (עלה מוקמק מלשון ערב)
 וזש" - ש(ח)רב(ו) אנשים מסקומב לקנות עמדות יפוס
 מרמז וזה אמרלים כ" הם קונין אומן לעבדים וחוצרין אותם
 שמן קונין אומן לדבר אחר...
 ש"ן - עקר ה' ל"ח דף כ"ז.
147. R. Hai wondered that there should be Jews who pre-
 vented their slaves from becoming proselytes.
 Mann - Responsa. (-26a #20,21-Minleit 15 note.
 Gaon II, 197)
 אומן היו אדוניים אשר לא רצו למול את עבדיהם.
 כפחה - דף 14
148. Poole, History of Egypt in Middle Ages p. 127.
149. קא מודיא קרמיכון דנסיבת וקבילית מניה בן וכן
 וזוי וזבינית ליה כהון עבדא הנדואה או עבדא כענאה או
 עבדא רומאה או לובאה או עבדא זנגאה דאית לי...
 דגן עבדא מוצק לעבדו ופסיר ועסיר מן הדורי ומן
 עדודי ומן עירי מלכא ומלכתא ורושם דאינש לא אית עלוהי
 ומנוקי מן כל מום ומן כל שיחוא דנאפיק ועד צחר דעמיק.
 אסף - ספר השמרות לרב' האי' נאון דף 27-29.
 מוסף התרביץ - תר"ץ.
150. רב נחשון
 וששא' - המוכר עבד לחבירו והיה בו מומין סבית
 אדוניו הראשון והשביחו אדוניו השני ואמר לראשון נכי לי
 דמי מומין כמה שאומרים החגרי' הבקיא' במומי' וראשון אומר
 לשני מול דמים שנחת לי והחזיר לי העבד...

הוא שעשה שלא כהגון ומכר לו עבד שיש בו מומין ונזכר דעתו ולא
הוריעו יוכה לו דמי מומין.

שערי צדק - ח"ה, שער ו' - ט"ז דף פ"א ע"ב.

Comp. Sinzberg II - p. 144; p. 150 - י"ג

מיללער - ספתח דף 134.

- 150a. The necessity of slaves is indicated they were included in dowries of daughters.

Mann - Responsa --- quotes

(ש"ז) - 7 # 45b ; 54b # 5 (ש"ז)

151. וישראל השרויין באותן מקומות נצרכין להם ביותר שלא
יצטרכו בניו ובנותיו או אשתו להביא מים על כתפיהן מן
המעינות ולצאת לפורני עם שפחות גוים ופרוצין ונמצאות בנות
ישראל באות בבזיון ובסכנה.

ש"ז - שער ו' ו' דף כ"ג, ס"י כ"ד.

152. ר' הא"י ז"ל - ושם - מקומות שאין היהודים מוצאין
שפחות לקנות אלא נוצריות והן במקומות מצויות והגוים מותר
להם בדינם להניח את היהודים לקנותן אבל חוץ מהן אין מניחין
אותן לקנות אלא בסתר ובסכנה.

ש"ז - שער ו' ו' דף כ"ג, ס"י כ"ד.

153. A slave told his master either liberate my son or I shall become a convert; i.e. he would become a Muslim and thereby liberate himself.

Mann, Responsa -

(12,13. Halberstamm's MS)

154. מר רב צמח גאון :- ושפחה שאומרת אני יהודית וכל מעשיה

מעשה גורם... מותר למכור לזו י"ס.

ש"ן ע"ד ל' ל' דף כ"ז ע"א א'.

155. Abrahams - p. 100ff.

156. ר"ל היה לו ע"ה וטענה וחוליתו בן עמר ראובן נטל

את הבן והנניחם לביה הסופר וקרא תורה וביאיר והיה אותן עבדים
וטענות משפטים את אדוניתם והיה ממון הארון ביד העבד...

Ginzberg II. p. 83ff.

Comp. ש"ן דף כ"ז, סי' כ"ט.

157. Islamic Culture 1930; - Bukhsh - (p. 130).

158. אלא בן בחר בוסטאנואי ושיא רחוב בדר ליה עמר בן טאב.

אזכורו רחובו לדי' ולי' ולביראן איהם ולאחאיהם בבין בחרו
סלך פיה לו את עמר סלך יסמעל וסלך הוא חרש ושדר ליה חרש
לבוטאנואי ואף על פי בן לא בא עליה עד דיהב רחב נ' ב' אלפי
וזו וחוריה בביתיה ואיליה מיליה חלטה בב' שהריאר ובוטאנו
וסיראנוטה רחוב בחרו סלך בבין וכו' בית אוקמונו
חסדאי ובלאחא חסדאי קריתון בקבאי בעבדי ונחבי בחרו סלך
עבדים רחוב בעין ראיראדואר ב' מלכ חרש ולא קבלה עליה
דח' יחוריה.

Schechter, Saadyana, p. 96.

After Bostanoi's death dissension arose among his
sons. Perhaps son of Persian was destined to be his suc-
cessor. His brothers were jealous and treated him as a
slave. Some authorities argued that he freed the slave be-
fore he married her.

Graetz III. - p. 91.

Comp. סלל ע"ה - סמחא דף 231.

159. ושט' - ב' ישראל שחפש עם שחחח לשום דמות מה דין

י"ח עליו - בן הוא חרש שמוציאין אותה ממנו ומוכרין אותה

ומפזרין דמיה לעניי ישראל ומלקין אותו ומגלחין שטרו ומנדין
אותו שלשים יום וכן הלכה.

ש"ץ - שער ה' י"ג דף כ"ה עמ"א.

ר' האל 160.

הבא על שפתותיו נוצרית וילדה בן והביאו לביהכ"נ למולו
ואמרו לו הקהל אין אנו מלין עד שתודיענו בן מי הוא והודה
לקצתן שהוא בנו ושחרר אחרי כן את השפחה.

מיללער - מפתח - דף 231.

" - דף 189

לרב נטרונאי 161.

ושא - מהו שיאמר אדם בשבת לקום לי תאנים וענבים
להביא לנו בערב שרי' אי לו כך ראינו שאסור לאדם לאמר לעבדו
כך שעבדו חייב לשמור שבת כמותו.
ר' שרירא

ושמירת עבדים לשבת ממלאכה זהו דבר שאין לנו אלא
לתת להם נפישא ומנוחה ולהודיעם כבוד השבת ואם משמרין
מוטב ואם לאו הרי אנו פסורין וכבדמיה אנו עושין להם בלבד
ומשמרין אותם בביתנו מן המלאכה שלא לעשות כל עיקר.

לוי' - אצ' ג - כ' שני דף 164 ס' ת'נ'ה ת'נ'ו

ושא - אדם בארי שאמר לשני עדים היו עלי עדים
162. ששיחרתי את עבדי זה ואף שפחתי זאת ולא קנו מידו ולא כתב
להם גט חירות יש לו לחזור עליהם ולהשתעבד בהם או לא
קינין מהני גט חירות או לא אי נמי כתב להם בלשון ישמעאלים
שפחתי זו ועבדי זה הן בני חורין ואין בו קנין יצאו לחירות
או לא...

הילכך אדם זה שאמר לפני עדים היו עלי עדים שנייהרתי
את פל' עבדי זאת שפחתי ואם יצאו לחיבות וכופין את יורשיו
וכותבין להן גם אחרור. ושאלתי אי' נמי. כתב להם בלשון
ישמעאלים הן בני חורין ואין קנין יצאו לחירות אי' לא.
כך היה מעשה באחד מן בני נשיאיהם וכן נתן בן שהריאר והיו
לו עבד ושפחה וצוה ואמר פל' עבדי ופל' שפחתי לא ימליכוכם
אחד מן בעדי (لا ملكهم احد من بعدي) ולא קנין
היה ולא גם חירות הוה ואתא לקמי' אדונינו מאור עינינו סר
רוב צדוק גאון ניהא נפשיה כגון ערן ופסק להו דינא דיצאו
לחירות ובפיה לייורז דנתן שמעיה בריה דיצחק השש גלותא
ובתם יהון גיסא לחירותא. Ginzberg II - pp. 75,82,83.

- ואם מקבל הקבר או האמה [לרבו ליתן לו דמין סיניעו. 160.
כותבין ספר על הקבר או האמה כסדר הזה.... דעסילנא וסריחנא
וגריסנא וסריחנא ב' לסא ברקות נפשי' ומסליסנא ליה בן זמן וזו'
או דיגרי סאבי סקלאיי מהשתא ועד זמן פל'...
אסף - ספר השטרות לרב האי' גאון - גם. חרור עבדים
דף 44 (סוסף תרביץ - ירושלים תר"ץ)

164. Lane Poole, Arabian Society in the Middle Ages, pp. 251-2

- ושא - בשביל עבד ישראל שברה... כיון שברה אין.
165. מחוייב במצות וכל שכן כשנשבע וחזר בו ומפסיו שחזר בו חזר
למצותו כשאר עבדים.

ש"ן שער ו' ס' דף כ"ד ע"ב.

ושא - ראובן כנפוסה היה לו עבד ובא המלך וצר על אותה
נפוסה ולכדה והרג מהם וברחו מהם והעבד של ראובן ברח לעצמו

185. עם אומן עברתו ואסור רבנן קמי' זכרה סכית האסורין יצא
 למירות קבר זה על ראובן יצא למירות או דילמא בורה שמי
 כך ראינו קבר זה על ראובן לא יצא למירות ובקבדו
 הוא קוסד ומחזירין אותו אל רבו.
 ט"ז עקר ו' כ"ו דף כ"ו ע"ב.

166. Enc. of Social Sciences-II, Banking-Commercial, p. 423-4.

166a. בשביל דינרא דרחמא לזבי פירי ושאז נכסי ב"ן מקרע' זב"ן מסלמלי היכא דינ'ה, מי האזי כסינעא וקאזי כד"ן כספא אולא כתב דלא האזי סינעא אלא פירי.

Ginsberg I, pp. 229-231.

167. Max. Rem. des Islam - pp. 449-450.

167a. Tritton, p. 56.

168. Le Strange - Pal. under Moslems - p. 22.

169. Tritton - p. 193.

170. The extent of their fortune can be gauged by noting the type of gift Abu Saad gave the Caliph's mother. He presented her with a silver ship covered with a tent. The silver cost 130,000 dirhems and cost of ornamentation was 2,400 dinars.

Mann - Vol. I, pp. 76-77.

171. בפוסטאט מצרים שעל גילום נהר מושבה איך יצחק בן אברהם המערבי אמר לפנינו היו עלי עדים... וחנו לו לדוד הכהן שנסלה וקבלתי מסגו שש מאות כסף הידועים נקאר (نقارة - Plu) מעשה ברולה והם עלי כהלואה ובהרשאה שאפרע אותם לו במדינת קיראן.

Mann, Studies in Jewish History, זכרון עדות 967
pp. 359-60.

172. Mann I, p. 72, II, p. 72.

173. Mann, I - p. 96.

174. שאלה זו ששאלנו אחינו תלמידי חכמים שבמדינת תלמאסאן... מארץ סבוא השמש לפני אש' הא"י לשון השאלה -

ראובן היה שוכן במדינה וידוע שהוא עין העדה וראשון לכל
דבר בין בצדקה בין בקנין והפסד הנזכר מן הקהל ולא פורע
יותר מסגור וידוע במסמך גדול והיה בפני הכל בכל מעשיו.
והיו לו שני בנים אחד גדול ואחד קטן והגדול היה נושא
ונותן בתוך הבית וסוחר במסמך האב והיה סמוך על שולחן
אביו והקטן כשנא לצאת למדינת הים למחורה נתן לו אחיו
מן המסמך שבידו ויצא למחורה...

והבן הקטן אומר... הוא נתן לי משאית של משי...
והוא (האב) היה מתעסק במחורה ובונה ועוזב חיימ'ם וכל
דבר... כבוד עשיתי כלי כסף וכלי זהב בביתך...

הורוויץ - תורתן של ראשונים, חלק שני - דף 2-31.

175. Mann - Studies in Jew. Hist. - pp. 329-330.

176. (Ben Asad) "I turned over to him and to Zedekiah ben
Jacob.... a thousand dinars as a partnership between me
and them according to what the document required which
was drawn up concerning them. And they went to the
city of Alexandria - God defend it- and invested some
of the capital in the presence of the Kadi el Athir -
ornament of the Kadis - and they got control of it and
lost it. And someone came and informed me that they had
already gone into the property with their hands and had
eaten it up

And I went to the city of Alexandria and entreat-
ed for the 1,000 which he had. And he said he
bought goods and that the property had been decreased by
a certain amount. And he asserted he was merely an agent
and not a partner..... And he said we shall not litigate

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except according to the laws of the Gentiles. (He went to the Muslim court agent and was acquitted) And now I inform you I have been robbed in respect to all I entrusted for investment. Gottheil Worrell - Letter VII p 34-35

(Dinar is a gold coin weighing $71\frac{1}{2}$ or $68\frac{4}{7}$ grains of wheat.

The American \$5 gold piece weighs 129 grains at 900 fine.) ^{See Cl. 1} _{מ. 22}

177.

ר' נחמיה' נאון

והשלמת - השלום מעת לחיורו ופסל הסכום מה ישלם.

הורונו' - הורנו של ראשונים חלק שני - דף 6.

178.

ר' הא' נאון

אם היה הסכום כמצב טוב ולזה ר' שמעון יחזיר לו מה

שחזר כדומה. ואם היה פסול יחזיר לו פסול. אם השלסון פסל

אם חזר ופסל את הסכום בזה נמצא ר' אופנים.

סיללער - ספחה דף 239 (ג'ה תכ"ד).

179. ונעשה שקנה ראובן חובת שמעון (פחוראה), חתום שמעון.

על ראובן ואמר לו אם אינך פורע לי חובות הללו ערב יו"תן חרי

מן ערעין עליך בסמיתם היום. וקבל ראובן תנאי זה בלא קנין

ואותה שעה שקנה ראובן חובת שמעון... היה חתום בשלשה עשר

זו וחצי, ועבר י"ח ולא נמן לו כלום ולא יצא חטרי עד שנעשה

חובת ב"ד זו וחצי.

ש"י - ח"ד שער ב' ד' דף ל"ד.

180. Contract in Arabic for a loan from ^{מ'מ'מ' of} _{Damietta}

י"ק חובת שמעון ח"י"ח אברהם נע הניאל והלפון בני

מ' הלפון חתון נ"ן

Contract is from one year from middle of Shebat 4866 to middle of Shebat 4867, at the interest of 2 dinars per month. Dated Monday, 8th of Shebat, 4866 (1106). Three copies were made. Neubauer & Cowley, Cal. of Heb. manuscripts p. 385 #8

181. ראובן נשחף עם שמעון ונכתב להם פטר וזהו נוסחו.
 קנינו מן שמעון ביום כ"ו בתמוז שנת ה'ת"ק ראובן ב"ר
 אשר אלפי' וזכרי' על תנאי שיוסיף שמעון עליהם אלפי'ם
 וזכרי'... ומה שיוזמן לו יותר על זה ויתקע בהן כענין
 המעקקים שולחנים וקורות אחרות ומה שמסמיעין מן השמים
 "שום סמנו ראובן שמי שחומים וסמנו ככל זון ושמעון חצי זון
 וחצי שחם ובענין זה יתן כל אחד מהם מן המסד.
 (ש"ן ה' ה' ב') ; דינבור - ישראל בנולה ח"א דף 124.

182. " You promised him that the master would speak to the
 judge, Abu al Faraj, that he write the document from the
 money changer (or banker) for the entire amount, and
 whatsoever was wanting he would make good from the sale
 of the resin and the tartar."

Gottlieb Worrell Letter IV p. 25, lines 5-7

183. רבינו מעריה וצוק"ל
 ושם - ראובן משכן לשמעון משכונות על קפ"ח דינרין
 שנה סמנו ופרע לו מקצתם ואח"כ משכן לו אבן בדולה על עשרה
 דינרין ופרע אותם לו ועכשיו ראובן חובע את שמעון ליתן לו
 משכונותיו והוא רוצה לפרע לו הנשאר מחובו ושמעון אומר בכר
 אכרו כל המשכונות הראשונים ואבן הבדולה כשתפשו הסלך וכזו
 כל אשר לו ועוד אומר שמעון שהמשכונות לא היו שוים יותר ממאה
 דינרין וראובן אומר שהיו שוים מאתיים דינרין ואומר שמעון שהאבן
 לא היתה שוה יותר מארבעה דינרין וראובן אומר שהיתה שוה עשרה
 דינרין.

שערי צדק - ח"ד שער ב' ה' דף ל"ד-ל"ה.

155. First part of Responsum - see Chapt. IV Note 95

Ginsberg III pp. 74., 80-81

Resonance based on 4'3 4'2 4'1 4'0 4'0 4'0

000-000 771 0871 0179 011702171 7130 - 7126 - 002 0 7122

1. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 8

[illegible]

המנהל הכללי של המבחן
המנהל הכללי של המבחן

199d. The above mentioned general rule of the active partner taking 2/3 of the profits, and the silent capitalistic partner receiving 1/3 is clearly indicated in the Capital Experience agreement of R. Alhazaelani. It is interesting to note that, in case of loss, they divided the loss equally.

The above mentioned general rule had several variants as is indicative in the formula of R. Had Gach.

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Chapter IV.

189d. cont,

(1) או שנטל ראובן שליש בלבד מן הריוח שנמצא מה שהציע לשתות הנשאר מן החצי שהוא הלואה (מקדון) נוסלו שמעון יתר על ראובן בעבור הסורה שטרה לו.

Dr. R. Marcus, at the suggestion of Dr. E. Ginsburg, would rephrase those words to read:

או שנטל ראובן שליש בלבד לשתות הנשאר מן החצי ומן הריוח שנמצא

This would give R 42% of the profits, and S ... 58%.

(2) או שאין מהייבין את שמעון אלא שליש ההפסד בלבד שנמצאו שני שלישים הכל במקדון לראובן ומקצה מה שמניע מן הריוח לשמעון בעבור מורה שטרה.

(3) או שנותן ראובן לשמעון שכר עמלו מה שמוסקן ביניהם. (שטר כיסא) - אסף, דף 35-36.

R. Hai's responsum, in reference to wages and profit, is worth indicating: ר' האיי גאון:

ראינו בחשובות שאלה ששאל הישיש המעולה מר רב' יעקב הרב הראש ז"ל מאת אדוננו ראש הישיבה נ"ע כי השותף בזמן שנותן לשותפו שכר טרחו ועמלו באותו שותפות ואפי' כל שהוא ראוי לו לחלוק עמו נשוח בשכר ובהפסד. והגיעה עכשיו תשובה מאת אדוננו ראש הישיבות בשאלות שנשאלו במדרש אכיו נטריה רחמנא שאין זה מותר עד שיהא השכר בשני שלישי הריוח. יודיעני אדונינו אי נליא ליה מילתא בהאי דינא משום דקשי' לן טובא לבטלן כדא שותפתא דאידעבידא כדאשכחנא דאמר מרנא בחשובות שאלות דיליה.

אין אנו עכשיו זוכרים מה שכתבנו ולא מה שכתב גאון
אכינו ז"ל אבל אנו אומרים מה שנראה לנו ומה אנו סוברים
שכך ראוי לעשות. מי שפסק ליתן שכר למי שקבל ממנו עסקא
להתעסק בו כדי שלא יהא לו חוספת מן הריוח ולא גרעון מן
החפסד אין אנו רואין שראוי להיות כל שהוא ורחוק בעינינו
לכתו' גאון נ"ע כזה ואנו מפרשים יפה מצאנו.
שערי צדק - ח"ה שער ח' ו' דף צ"ד-צ"ה

189e. אם חמסון ביד שניהם ואם חמסון ביד אחד מהם כותבין
כך וראש כיסא דגן ביד פלוני דגן... ואם חתנו ביניהן שכל
אחד מהם לוקח ומוכר בין לבדו ובין לפני שותפו כאשר יראה
כותבין וכל חד מנאנא אית ליה לזכונא ולמיזבן לפום מאי
דחאזי בין באנפי חבריה ובין לידיה ואם רצו שאין עושים
כלום אלא מדעת שניהם כותבין ולית לכל חד מינאן למיזבן
ולא לזכונא אלא באנפי חבריה או מדעתא חבריה. ואם יש
לאחד מהן לחת בהקף ובלשון ישמעאלי נסייה כותבין ומאן
מנאנא דחאזי לסיחב מדעם באשראי יהיב כד חאפי... ואם חתנו
ביניהם שעושים חשבון כל זמן ידוע כותבין ועכידנא חושבאנא
דכל אית בידאנא ועל דשקילנא ויהבנא ושקיל כל אחד מינאנא
מאי דחאזי ליה מן רואחא.

(שטר שוטפות)

190. ראובן נפן לשמעון ולוי שותפיו ממון להתעסק בו.
ש"ץ - ח"ד שער ב' ל"ח דף מ"א ע"ב.
ר"ש ולוי נשתתפו ולקחו מקח ועירבו ממנם ביחד.
ש"ץ - ח"ה שער ח' י"א - דף צ"ו ע"א.

196.

ר' פלסוי גאון:

כף ראינו שאע"פ שכתבו בשותפות מכל צדדי הסחורה
כיון שלא קיבל על עצמו ולא עשו ביניהם חנאי שאם יטול שמעון
ממון ויפסיד שישלם ראובן עמו אין נוסל ראובן **מן** הריח
שיריח שמעון עם אנשים אחרים.
ש"ץ - ח"ה שער ח' י"ג, דף צ"ז-צ"ח.

197.

ר' סעדיה גאון:

ועכשיו סוען ראובן לשמעון כי אני שותף בכל ממוןך
ושמעון אומר לא כי לא נשתתפתי עמך אלא עך הקרן הידוע
ולא יכולתי להוסיף על הקרן **שלך** אלא מאה וחמישים דינרין.
מיללער - גמ"ס - סי' צ'.

198.

ר' פלסוי גאון:

ושותף דעבר על דעת' דשותפיה כגון דיהיב ליה
ממון ואמר ליה לא חשדריה לים הגדול וקם הוא וחדריה.
(ש"ץ ד' ח' ט"ו) -- מיללער - מפתח, דף 90.
שמעון היה רגיל לילך למדינת הים וראובן היה מתקן סחורתו.
לילך לאותו מקום.
(גמ"ס ר' ט"ז).

דינבורג - ישראל בגולה, חלק א' דף 120.

200

ושא - שמעון נסל מראובן ק"נ זהובים פרקמטיא
בחורח שיתוף וכתב לו שטר מלון דפלגיה דממוןא ושותפות
בק"נ זהובים ופסק לו ראובן שכר עמלו ומזונו כדי שיטרח שמע'
בממון וילך במקומות אחרים.
הרכבי - סי' רל"ח.

וששא - ראובן נתן לשמעון ולוי שותף^י ממון להתעסק
 בו כדי שיטול ריוח ונתן להם כמו כן ממון ונתנו שמעון ולוי
 לראובן הראוי לו מן הרוח על ידו. ואחר כך רצה ראובן
 ליטול הקרן שלו והחזירוהו לו שמעון ולוי ונפרע מן הכל. ו
 ואחר כך תפש המלך כל ממונם של שמעון ולוי עם ממונם של
 יהודה שהיה לו ביד שמעון ולוי. עמד יהודה ותבע את ראובן
 ואמר לו אתה שותף של שמעון ולוי, תן לי ממון^י כי חייב אתה
 לתת לו. אמר ראובן אני לא הייתי שותף^י אבל היה לי בידם
 עיסקא וכבר נפרעתי ולא נשאר ביני וביניהם שום דבר מהיום
 כמה ימים... אין ליהודה תביעה על ראובן.
 שקרי צדק - ח"ד, שער ב' ל"ח - דף מ"א ע"ב.

מ' רב סעדיה זצ"ל: 207.

וששא - ר' וש' ולוי נשתתפו ולקח מקח ועירבו ממונם ביחד
 והוליכו מחורתם לבבלה ומצאו שהיו סחורות בסחורתם בזול
 ונשמו על מקחם ובאו לבתיהם. ואחר כך נודמן להם שלקחו
 ראובן ושמעון מקח אחד ולא היה שם לוי עמם והניחוהו בספינה
 ואחר שהניחוהו בספינה נפל פחד בעיר וכמעט אבד ממונם ופגשו
 ראובן ושמעון את לוי ואמרו לו זה המקח שקנינו ולא היית
 אתה עמנו, אנו חפצים שיהיה לאמצע ושיהא עם המקח האחד שיש
 לנו בבבל ליפות לנו המקח הראשון. אמר להן לוי בכמה יעמוד
 המקח זה עם הראשון. חשבו החשבון ומצאוהו פחות ששה עשר
 דינרי' ביבשה. כשיתערב הכל אמר להן לוי בטחו בשם וקיימו
 השותפות על זה אמר ראובן ושמעון ללוי זה המקח שאחרון הוא
 כתוב על שמינו ביד המוכר כוא אתה ויכתוב שמך ביד המוכר,
 אמר להן הן. ירד שמעון באותו מקח וישב בספינה וכשהגיע

המקח שלם לכבל מצאו שכבר נמכר המקח הראשון ונמצא הפסד
בראשון וריווח באחרון אמרו ראובן ושמעון ללוי, לא נתן
לך מן הריווח שבמקח האחרון כי לא היית עמנו כשקינינו ולא
נכתוב שמך כעת שקנינו ואתה חייב לשלם חלקך מן ההפסד
הראשון... יורנו גאון וכו'...

In answering, ואחר כך לקח ראובן ושמעון מקח אחר ואמר
ללוי יהי לאמצע ונמלו ממנו הראוי לו ליתן משכר המלחים
והעובדים ופוצא בהן הראוי, הרי המקח האחרון כאמצע בלא
ספק... לשלשתם.

שערי צדק - ח"ה, שער ח' י"א דף צ"ו סילולר, מפתח, דף 136

ראובן נתן פרקמטיא למכור, ושמעון זה פרסור חזר בה בשוק. 206
והלך לראובן ואמר לו כך וכך גזיעה ואמר לו, מכור אותה.
ושמעון - ספסר ומכר שמעון ללוי ולא קבל ממנו כסף.
(ת"ג הרכבי שכ"ז)

דינבורג - ישראל בגולה, חלק א', דף 123.

209. היו לו חפצים ביד שמעון שהיה פרסור ונשארו בידו
ימים רבים עד שבא ראובן וסבעו והיו אותן החפצים בשקים
ספורים וידועים וכשסמו השקים חסר מהם אחד אמר ראובן
לשמעון איה השק שחסר אמ' שהיה במקום פלוני ששמים בו
סוחרים סחורתם. ואותו המקום לא חפשו המלך ולא לסטים
מזוין ולא נמצא בו סחורת וראובן תובע את שמעון באותו
שק או בדימוי שדרך הסרסורים ליטול שכר על מה שהן מתעסקין
בו לסוחרים בחוקות ידיעות.

אם כך היה המעשה... הרי שמעון חייב לשלם בלא ספק מפני

Chapter IV

שהוא שומר שכר ודין שומר שכר לשלם כל מה שנגנב וכל מה שאבד לבעליו.

ש"ץ - ח"ה, שער ה' כ"א דף צ"א נדיבורג 120.

מיללער - מפתח, דף 166 Summary

210. לרב האי גאון:

שמעון בא כחו של ראובן מכר סחורתו ללוי את הכסף עוד לא קבל עמד וחזר בו ובטל את המכר וראובן שהוזק ע"י זה טוען לתקוני שדרתיך ולא לעוותי הוא גם חושד בשמעון שעשה זאת בכוונה רעה כדי להזיקו.
אסף - ת"ג דף 101, סי' קפ"ט.

211. ר' נחשון גאון:

ש' שבא לאפריקא ועושה שותפות עם בנימין והלך ש' לעבר הים באות פרקמטיא ולא מכר כלום ונתן הפרקמטיא לאדם א' שהלך למדינת המלך ששם מוכרין את הדבר. וכשחזר לאפריקא תופשו בנימין ואמר לו הן לי ממוני כדין וכראוי אמר לו וכך הדין שיחזור ש' ממון שלו לבנימין.
(חמדה גנוזה - מ"ט) -- מיללער - מפתח, דף 133
212. ראובן שלח ממון ביד שמעון למסורו ללוי במדינת הים.
(ח' גמול"מ רכ"ד)

דיבורג - ישראל בגולה, חלקא - דף 121.

213. J.Q.R. - V. 17, pp. 83-84

Chapter IV.

214. J.Q.R. - V. 16, p. 284 Hirschfeld

215. נהנו בני קירואן מימות אבותיהם ועד עכשיו לכתב
בהרשאותיהן שיכתוב המרשם להכירם שירשמו ליקח לו ממון
ממדינת הים.

הרכבי - ח"ו - ח"ו קצ"ט

216. Mann - Responsa

217. כך ראינו שאין בשרש הדיונים שלנו להתיר לשלח הספנות
(דיוקני) אבל בעביל שראינו שהבריות משתמשין בה התחלנו
לדון על פיה כדי שלא יתבטלו הספנות בין האנשים וקבלו
לדון בה במשפט התורים לא להוסיף ולא לנרוע.
(ח"ו הרכבי חכ"ג) דינבורג - חלק א' דף 121.

218. באיזה מקומות היו סופרין המטבעות ואין שוקלין אותן
כמו בהודו ויימן.

מיללער - ספחת - דף 49.

219. ישראל בר נתן מקירואן כתב מכתב ערכי בעניני מסחר
מעיר אלקסנדריא של מצרים, לאבי וסירי אבו יחיי נהראי בן
נסים" בחדש סיון (שנה חסרה הוא בכ"י באוקטובר 2805) ו
וכנראה נמש' ישראל זה את מקום מבורו קירואן ובה להשתקע
במצרים.

פוזנאק' - אוש' קירואן Harkavy's Festschrift p 209

ר' שרירא

220.

היו נוהגין חותם של מים לעוברי דרך לסימן כי ברשות
מלכות הן עוברין ומי שאין עמו החותם מעכבין אותו שומרי
הדרך מלכת הלאה.

מיללער - ספחת - דף 50.

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221. שאילו מן קמיה מר רב יהודה גאון
חמלוה את חברו ובקש לצאת למדינת הים ועדיין לא הניע
זמנו לפרוע לו יש לו לחבכו ואמר לא יש לו לאמר תן לי ערב
ואמר לא.

מוספיה "ח"ג דף 18 ס"י מ"ה - מפתח דף 70

221. כיון שהיו ראובן ושמעון נושאים ונותנים באגרות
שכותבין זה אל זה ומהם היה שכיכתוב ראובן אל שמעון להח
דבר יתן שמעון בכתבו. Mann - Responsa (Geon II - 284
written in 1015 to Kabes)
Compare Chapt. IV, Note 201

222. ואמר מר רב נטרונאי - ומי שהיה במקום שאין השירות
יוצאות אלא שני פעמים בשנה ובקש לכתוב אגרות כמו"ש
מוחר....

לוי - אג"ב מס משקין, דף 25 ס"י מ"ג-נפ.

223. a. See Chapt. IV, Note 201 for first part of responsum.

223. b. ר' האי גאון

לאחר זמן בא ראובן ונתועד עם שמעון ולא דבר ראובן
לשמעון בעסק הפרקמטיא דבר. וישב עמו במדינה כמה חדשים
ולא הזכיר לו דבר והלך ראובן למדינה אחרת וחזר וגם לא
הזכיר לו בעסק הפרקמטיא לאחר כמה שנים טבעו ראובן לשמעון
ואמר לו תן לי דמי הפרקמטיא שלי וענהו שמעון ואמר כבר
הניע אלי כהנך וצויתני לתת הדמים לאבי וכבר נחתים לו והרי
הודעתין בכתבו אליך שנחת הדמים לאבי כמה שצויתני וראובן
זה הוציא הכתבים של שמעון וכתוב במקצתן כמה שאמר שמעון
ואביו של שמעון זה נפטר מכמה שנים. אמר לו ראובן אני לא

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כתבתי אליך לתת כלום לאביך אם אמת מה שאמרת הראיני כתבי
ואעמוד עליו אמר לו שמעון חפשתי עליו ולא מצאתי... והרי
ספר חשבונות שלאבי מצוי ויש לו עליך הוצאה וחשבון.
לוי' - גנזי קדם - ספר ראשון דף 121.

224. Mann - Responsa

224.

ר' מעדיה

ושאלתם - ראובן נפטר מן העולם והניח יורשיו הוציאו
פנקסים וחשבונות והראום לפני סוחרים ויהודים נאמנים ונמצאו
במחקונם לפי מה שנראה ונמצא בהם חשבונות מנע ומשא שהיה בינו
ובין שמעון לחייב את שמעון. באו היורשים והבעו את שמעון
כמה שמצאו בפנקסי סוחרים ובחשבונותיו ולקשו ממנו להוציא
פנקס לחשב בו כנגד חשבונות ראובן ולהוציא הוכחן לאמתו כמנהג
הסוחרים בפני התגרים. (ש"ץ - ח"ה ד' י"ג).
דיבורג - ישראל בגולה חלק א' דף 121.

ואין ספק שמי שלקח סחורה ונתן סחורה תחתיה שועשית דמי 225.
לה וחשומא תכוא אחר כך ואם נמצאת אונאה יחזיר ואם לא
נמצאת החליפין קיימין.

הרכבי - ת"ג דף 296 ס"י קנ"ב.

226. ישראל שיש לו חצר למכרה מהו לפרסמה בשבת ולומר בבתי
בנסיות כי פלי מבקש למכור חצירו ואם חצר או פונדק של הקדש
והוא מבקש להשכירו מהו לפרסמן בשבת - אסור.
לוי' - אצי"ג כ' שני דף 154 ס' תנ"ז.

227. Shohet - The Jewish Court in the Middle Ages pp. 95-96

228. חשא - במקום שאין ר"ן קבוע ויש מישראל מי שיש לו אצל
חבירו הלואה או פקדון או ירושה וחפשו לפני הזקנים... וחייבו
אותו ולא רצה... ויש באותו מקום כי דואר של גוים שאינו

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מקבל שוחר ולא נשא פנים ומקבל עדות ישראל על חבירו יש
לאותן הזקנים ומלמדים ואותן עדים שילכו לפני שופט של
גוים ויעידו על החיים.

כך ראינו שיש להם רשות ומצוה לעשות כך אפי' היה
הגזול גוי והגזול ישראל היינו רשאים להעיד על ישראל
לגוים.

ש"ן - היה שער ז' ד' דף פ"ד ע"ב.

229. Shohet - The Jewish Court in the Middle Ages pp. 81-82
230. Enc. of Social Sciences - Pound-"Contracts" V. IV, pp. 325ff.
231. ונשאלו רבינו שריא ורבינו האי גאונים ז"ל

והוא אינו יודע לא לכתב ולא לקרות שטר ולא דבר אחר
מי מקיימין עדותו... מי שהעיד בקוין ואינו יודע לא לכתב
ולא לקרות מוסר ובריו לפני בית דין בין מוסחה בין שאינו
מוסחה.

לוי - אצ"ג כ' שני חלק ב' ס"י קס"ט.

The various methods of certification of deeds are listed in

ספר העיטור (א) אם העדים מעידין על כתב ידם... (ב) אם
כתב ידו יוצא ממקום אחר... (ג) אם אחרים מעידים על כתב ידו...
(ד) אם העדים החותמים קיימין ואינם יודעים לקרות צריכין
בית דין לקבל עדותן על פה ואם נמצאה עדותן מכוונת מקיימין
אותן וכותבין... (ה) עד ועד מצטרפין כותבין... (ו) שלשה שישבו
לקיממו את השטר שנים מכירין החלטות ידי העדים ואחד אינו מכיר
כותבין.

גולאק - אצ"ג השטרות דף 292-6

232. קיום שטרות - אסף - ספר השטרות לרב האי גאון -
דף 45, גולאק - דף 291. הטפסת שטר אל ברצלוני -
גולאק דף 295.

233. שטר תמורה - ועשינו תמורה כינינו כאותו בית וחצר שהיה
לי פל' במקום פל' במימניו ובמצרניו עם אותו בית וחצר
שהיה לו...

גולאק - דף 193.

234. שטר שכירות דבאחי קא מורינא קדימכון, דדרתא
פלונית או חנותא פל'.

אסף - ספר השטרות לרב האי גאון דף 31-30.

235. שטר זכותא - לר' אל ברצלוני - ואמשיבית ליה כך וכך.
זווי... ואודי קדמנא ... פל בר פל' דגן דקבליון להלין
זווי מיר פל' זוכה בהון לפל' כמתנה ואמר... דאנא חייב
לפל' כך וכך זווי והרי הן מוצנעין תחת ידי כמורת פקדון ו
ורשו והלואה לפל' דגן, וכל זמן שיתבעם ממני והבאין סכמו
אמסוריון לו ולשולחו.

גולאק - דף 191-2.

235a. - שטר הלואה לרב האי

...דנסיבית וקבילית מיניה כן וכן זווי דכספא סאכי
כחירי וקושי צחיחי תריצי מעליי כמתקלא דעשרה שבעה ואם
זהובים הן כן וכן דינריהבא סכי כחירי כמתקלא דשש דגנ...
אם החוב סתם שיש למלוה לחובעו כל זמן שהרצה. ואף
על פי כן אין סן הדין למלוה לחובעו אלא לאחר שלשים יום
מזמן השטר אלא אם כן התנה עמו בפירוש שתובעו פחות מכאן...
ואחריות שטר חוב דגן על כל שפר ארג נכסין... בין מקרקעי
ובין סן מטלטלי... והכין אתרינן ביה בפלוגי דגן ואמרנא ליה
חזי כד פרעות ליה לפל' הדין חוב לא תפרעיה אלא כאנפי סחרי
או דכחבת על גביה סאי דפרעת או דנקטת (שוברא) עליה.

אסף - ספר השטרות דף 23-20.

שפר משכונתא - דר' אלברצלונ' - ונפלת' מסננו כך וכך. 236a.
 דינרין ותקילין מסמכע פל' ומשכונת' לו כהם כל אותו שדה שיש
 לי במקום פל'... ואם לא אפרענו לו לזמן הזה הכתוב לעיל מיד,
 'הא רשאי לירד במשכונת' זו ומשכונת' לו ולאכול פירותיה בנביחת כך
 וכך בונה... 'הא רשאי לעשות משכונת' זו כל הפעת נפשו... ואם
 ירצה נמי למכור גוף הקרקע.

גולאק - דף 230.

שפר אפות'קו - אלברצלונ' 236b.
 ואם שמא חם ושלום הייתי מעבב מלפרוע לו מסך זה לזמן
 הנזכר - סניתי'ו אפטרופא אנב ארבע אמות קרקע למכור מארעא דא
 או מביטא דא עני כד' מסוננו שלא בשומא ולא בהתראה ולא בהכרזה
 אלא על פיו ורצונו. עד שינכה סך זה לאלתר כמו שנוכין את הסם
 בין עיי ישראל בין עיי אחרים.

גולאק - דף 236.

שפר מכירת שפרות - שפר בעיטור - וזכרית ליה שפרא 237.
 דאית לי על פל' בכך וכך זוזי דקבלית מיניה ומסרנא ליה לההוא
 שפרא קדמיכון ויהיבנא ליה כל זכותא באית לי בה דלא להשנאה
 ודלא למיהדר בה לעלם... ולא 'הא לי רשות לאיפרומי למימחל ההוא
 מסונא, ואי מחילנא ליה אשלם ליה.

גולאק - דף 239.

ר' הילאי בר נטרונאי בסורא 238.

ראובן יש עליו שפר חוב מאה זהובים כההרנה ובהרשאה
 ובאחריות והלך ראובן זה ולזה מאחר קי' זהובים והלך למצרים
 ונתאחר שם ואח"כ שיגר לשני ממון. יש לכעל שפר ראשון ליטול
 המסון כך ראינו מן הדין (ש"ן ד' ה' כ"ו)

מיללער - מפתח דף 156.

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- 239a. שטר שובר לר' אלברצלני -
גולאק - דף 244.
- 239b. שטר אביזאריה - לרב האי
אסף - שטרות דף 22-24
- 239c. שטר סימפון לר' אלברצלני
גולאק - דף 244-5
- 239d. שטר סילוק - לר' אלברצלני
גולאק - דף 263
- 239e. שטר פשרה - לר' אלברצלני
גולאק - דף 269
- 240a. שטר אורכתא לרב האי
ועל גב קרקע דגן (ד' אמות בא"י) אורכתיה וארשיתיה
ואשלישתיה על כל תביעותא דאית לי על פל'... לקרובי איגון
לדינא ולמיחבוע יפהון בדינא... ואם משבע להון או דעבר פשרה...
מקבל עלאי מעכשיו וכל דמתעני מן דינא מקובל (עילאי)... בין
לזכות בין לחובה.
אסף - דף 32-3
- 240b. שטר שלישות לר' אלברצלני
ואשליסית ואשלישית עליה כך וכך וזוזי כך וכך כאני
דליתן יתרון לפל' בר פל' או דליוזבון ליה כהון ארעא ויהא
נאמן בשלישות זו בכל מה שיעשה עלי ועל הדין פל' קאנא ספקד ליה
לסתניגון כההוא פל' המקבל לתבוע בכל מה שיעשה משלישות זו.
גולאק - דף 279-80.
- 241a. שטר מחאה - אסף - ספר השטרות דף 52.

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241b.

שטר מודעא לר' אלברצלני

הא מלי סהדי דהדין פל' בן פל' אניס לי בשלשנא א כשאר
אונסא למיזבן ליה דירתא פל' ידי או למיחב ליה במחנה והשתא
קא מסרנא מודעא קדמיכון דברין פל' אניס לי וידוע לכון אנסי
דקא מצריך לי למזבני הדין דירתא דילי במאה זוזי ואנא
(אסינא) ליה דאי יחיב לי בה חמש מאה זוזי דזכיננה ליה, ואי
לא מזכיננה.

כך

שפל' זה יש לי עליו וכך דינרא וכאשר אני חובע אומר לי
אם אתה עושה לי כך וכך או אתה מוחל לי קצת מן הממון, אני
מודה לך את המונך ואם לאו אומר כי אין לך אצלי כלום וכשאני
חובע בפני עדים הוא כופר לי בכל מה שיש לי אצלו, ואני אנוס
ומסור בידו.

אסף - דף 45-48

גולאק - דף 269

241c. שטר ביטול מודעא לר' אלברצלני; גולאק - דף 271.

והא אסר לו שמעון ללוי מכור לי כל מודעא שישיה בפרוסה. 241d.
או בשוה פרוסה - הגאון משיב וזוכרים אנו י"א ראשי ישיבות
ובמה אכות בית דין ולא שמענו שהוצרכו את המודעא למכור.
אסף - ת"ג דף 191.

242.

שטר ערבות - לרב האי

דא מודינא קדמיכון דכן וכן זוזי דאוזפיה פל' בר פל'
(לפל) בר פל' וכתב עליה כהון שטרא אנא ערבא דיליה ועל
דעתא דערבותאי אוזפיה אילין זוזי ואי דלא קאים פל' דנן
הלוח לפל' דנן המלוה ועלאין אנא פל' בר פל' מעכשיו למפרע
יחיב מן ממוני ...

אסף - דף 30 גולאק - דף 223-4.

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243. שטר קבלנות לר' אלברצלוני

נעשיתי לו קבלן גמור עבור פל בן פל' שלוח מסנו כך וכך
די'נרין והוא לא נתנם לו אלא בדבורי ובמצותי שאמרתי לו
תחלה תן ואני קבלן גמור... וקבלתי עלי לפרעו לו לזמן זה
ואם לא ירצה פל' זה המלוה לא יתבע הלוח לעולם אלא אותי יתבע
תחלה ואני אפרע לו מסונו לאחר משלם לזמן שקבלתי עלי.
אסף - דף 225

244. ר' נחשון

ר' היה גושה בש' מאה מנה ולא היה בידו לפרועו. הביא
קבלן שמעון נמל אצטלא שהיתה עליו ששים מנה ונתנה לראובן ור'
נתנה לקבלן וקנה היסנו. לימים מת שמעון. בא ר' וחפש את הקבלן
כך הוא הדין שכיון שפטר ר' את שמעון וקנה מידו נפטר ונכנס
קבלן במאה מנה (המדה גוזה מ"א)
מיללער - מפתח - דף 133.

245a. שטר אדרכתא לר' אלברצלוני

אנו בית דין החותמין מפה... ואמרנו לו לפל' שפרי חוב זה
שעליך וקבענו לו שלשה זמני בית דין ולא פרע לו וקרענו שטר
חוב שעליו וכתבנו לו לפל' המלוה שפר הורדה והאי הקרוי אדרכתא
על נכסי פל' זה הלוח שיהא שליט זה המלוה ומורשה ומודרך לירד
(ל) נכסים אלו ולהחזיק בהן ולאכול פירותיהן ולהיותן שלו עד
שיפרע לו פל' הלוח.
גולאס - דף 315.

245b. שטר הכרזה - ספר העיסור

במותב הלחא הוינא... ואכריזנא על ההיא ארעא ל' יומין
כדחזי לנו ובחר הכ' אתא פל' דנן ואוסיף על דמי ארעא כך וכך

וזכירא ליה אנחנא ב' דינא לפל' להאי ארעא ואשלי' הלין זוזי
דמי זכירא לדינא ויהיכנון לבעל חוב.

גולאק - דף 317⁸.

246a.

שטר מירפא לר' אלברצלונ'.

ואחר כך חזרנו על מה שמכר פל' זה הלוח מעת שלוח מפל'
זה אלו הדינראן של שטר חוב ומצאנו שמכר לפל בן פל קרקע פל והיה ק'
זמן המכירה אחרי זמן של שטר החוב. והשבענו את פל זה תלוח
שבועה כדין לפירוע מנכסים משועבדים ואחר כך קרענו שטר החוב
וכותבין לו שטר מירפא שיטרוף ארעא פל מיד פל הלוקח.

גולאק - דף 324.

246b. שטר אדרכתא לר' אלברצלונ' 245 ; שטר הכרזה - ספר

העיסור - 245

246c.

שטר שומא - לר' אלברצלונ'.

ואחר כך קרענו שטר האדרכתא והכריזו (שלוחינו) כראוי
על שדה זה ולא עלו דמיה לכך וכך דינרין ושדרנא מבי דינא
אינשי מיקמני ודבקיאין בשומא ושמו ליה הרין ארעא בכך וכך
זוזי, והרי היא דיליה למיכל מירותיה בלא נכיתא ובהתירא ובה
ולמעביר בארעא דא כל רעות נפשיה, לזכורא...

גולאק - דף 327.

247. שטר להחרים על נכסי החייב שסוען טענת אין לי - תיקון

לטר יוסף גאון.

גולאק - דף 333⁴.

248.

ר' האי גאון - ספר מקח וממכר.

Chapter IV.

- 249a. שער נ"ו - שער ששי שעורי החסרון
שער נ"ז - רפואות
- 249b. שער י"ג - י"ז.
- 249c. סבירה בתי ערי חומה.
- 249d. ספר שבועות, ספר המצוות
- 249e. - ספר המשכון, משפטי התנאים משפטי הלואות
ווייט - דור דור וירושיו, ח"ד - דף 9-188.

1. Cambridge - Medieval History IV, pp.288-9.
2. Tritton- Caliphs and Non-Muslim Subjects, pp.35-36.
- 2a. The fact that later Muslim jurists lay down the law that a Christian or a Jew could hold the post of Vezir provided he was not vested with absolute powers indicates the part played by dhimmis in state advice.

Bukhsh - Islamic Culture 1928, p.280.

3. * Abdel Malik gave orders to Sulaiman ibn Saad to change the language of the registers No sooner had the year ended then the change of language was finished and brought the registers to Abd el Malik. The latter called Sarjun (Sergius) and presented to him the new plan. Sargin was greatly chagrined and left Abd el Malik sorrowfully meeting certain Greek clerks he said to them 'Seek your livelihood in any other profession than this for God has cut it off from you.'

Matti - Translation of Al Baladhuni, p.301.

4. ברבור - הארץ, 17.162

5. Cambridge - Med. History, IV, pp.286-8.

6. Omar II issued an edict to all his officers to exalt the true faith and above all to appoint none but Muslims in office of trust.

Wm. Muir - Rise and Fall of Caliphate, p.320.

7. Enc. Islam, Egypt - p.7.

8. In 849 Caliph Muktadir decreed that none but mos-
lems were to hold public offices except that of physicians
and tax collectors. It was unworkable for he had 9 Christ-
ians in his Privy Council.

Bukahsh - Islamic Culture 1928, pp.279-280.

Comp. - Mez. - pp.47-48.

9. Enc. Islam, Egypt - p.7.
10. A.S.Tritton, p.25
11. In Persia, Nizam al Mulk, the minister of Malikshah,
wrote in 1105.

If a Jew or a Christian Magian or Karatian gets a
position of authority or does the work of a Turk careless-
ness is their chief characteristic, there is no respect for
religion, no love for state and no pity for the subjects.
They (Jews etc.) become very rich. "The author fears the
evil eye and knows not how this may go. In the days of
Mahmud Masud, Tughril and Alp Arslan no Magian Jew, Christ-
ian or heretic had the boldness to take part in public life"

Probably the writer was the victim of a common weak-
ness and ascribed to the past a virtue it did not possess.

A.S.Tritton - I, p.27.

12. Cambridge - Med. History, Vol IV, ch.X.
13. See Ch.V, note 2a.
14. The Jewish Spanish veziers were Hasdai ibn Shaprut (912-961)
Samuel HaNagid and his son Joseph (993-1066)
Hasdai ibn Hasdai c1050.
15.

15. ואחרי כן עלה באפריקיה ואחיו הויה מושל סקיליא
 זר' פלמיאל עלה עמו וזם גבר ונתעלה ושמו עולה למעלה והוא
 היה משה למלך ושמו כל המדינות הולך.
 ספר יוחסין - דף 17

Salman Chronicle of Ahimaaz, p.19; Mann I, p.16

16. Jacob ibn Killis was a native of Baghdad. In 942 he was a commercial agent with his father in Ramleh in 942. He went to Fustat where the ruler Kafur retained his services. When he became converted in 966 he was appointed to high office. The exactness of his jealous superior forced him to leave Egypt.

He went to Ifrikiga where he joined the Caliph's court under Al Moezz: He indicated to the king the chaotic condition and aided him in the conquest of Egypt. Upon being successful the king rewarded him. In 973 the court was transferred to Kairowan.

Jacob ibn Killis shared with Asluj the land administration. The next ruler al Aziz made him vizier in 978-9.

Mann I, pp.17-18.

- 16a. S.L.Poole, Egypt in Middle Ages, p.120.
 17. See chapter IV, note 138.
 18. L.Poole - History of Egypt in Middle Ages, p.137.
 18a. When he was put to death they discovered he had property worth 3,000,000 gold pieces. He also had a precious library of 10,000 volumes.

Tritton, p.93.

19. Mann - Vol I, pp.21-22.
20. (Rusbih means doubtlessly in Hebrew רוסביה).
Eclipse of Abbasid Caliphate, Vol VI, p.155.
21. Hirshfeld - Arabic Portion^o of Cairo Genizah at Cambridge.
J.Q.R. - Old Series XV.
22. עד קהילה ושם כמו חמשת אלפים יהודים ושם ימצא
הכולה... ובחצי חשתי באים שם בני אדם לקרקע חים בחבלים
ומלקטים את הפרטים מקרקע חים ומבקעים אותם ומוציאים מהם
אבני חלול (pearls) והוא למלך המצרי על ידי פקיד יהודי.

Adler

מסעות של בנימין - דף 1"ה -

- 22a. Tritton, pp.27-28.
23. Beazley - Dawn of Modern Geography, pp.408-9.
24. Moses ibn Kashkil a native of Spain was known as
a wandering scholar and diplomat. He came to Sicily and
endeavoured to aid Samson ad Daula the last Muslim Amir
retain his throne there. ~~He went~~. The Jews of Sicily were
naturally interested that the island remain in Mohammedan
hands. Moses went with the embassy of the Amir to Egypt
in order to influence the Jewish courtiers there for the
Amir's cause... The mission failed for in 1061 the Nor-
mans captured Sicily.
- Mann - Studies in Jewish History, pp.386-88.
25. Beazley - Dawn of Modern Geography, Vol II, p.220.
26. J.Obermeyer - Die Landschaft Babylonien, p.152.

27. Bukhsh - Ren. of Islam, Islamic Culture 1928, pp.431-439.

28. Tritton, p.22.

29. Tritton, p.148

29a. When the vizier suffered reverses he transmitted to his family 100 dinars monthly. This vizier Ubardallah b.Sulaiman was grateful to the Jew for his kindness. This vizier inflicted reverses on Jaradah who had done many favors to the Jew so he transmitted 100 dinars monthly to him also. The vizier heard of it and called him to account. Sahl ben Nazir indicated that he was only doing what he had done formerly to him. He was forgiven.
D.S.Margoleouth-Table Talk of a Mesopotamian Judge. Islamic Culture 1931, pp.181-2.

30. S.L.Poole - History of Egypt in Middle Ages, p.114.

31. Mann - Studies in Jewish History, p.369.(see Mann II,274).

והיה אבי ישראל למלכות במדינת אלקסנדריה והיה על יד
הים כמו חמס עשרה שנה והיו כלל המנהלים והאגפים סמוך אליו
ומהרה ומעריב.

32. See chapter V, note 19.

33. Mann - Vol I, p.22.

34. Ibn Killis - 355 Abu'l Mish Kafur - in Duvan of Syria and Egypt.

Ibn Killis - 341 - Muizz.

Ibn Abi d-dam al Jahudi - 525 Hafiz.

W.Bjorkmann - Staatzenkanzlei, pp.64-65.

35. When Abu Haraa a new governor is favorably disposed to the Jews there the Karaite Jews write together with the mayor requesting in Fustat to recommend those officials

to our elders the elders of the Karaites.

Mann II. - p. 16f.

36. וגם לא עשיתי מאומה כי שמו אותי בכבוד... ולא היו מעשי רעים שהייתי כל זאת ולא אשכח את עצמי... אב הייתי אני לשוביונים וגם עינים הייתי לעור זרגלים לפסח... וכבר מעשי הקובים "רועים עם הרבנים ועם הקראים... ולא נתעסקתי בשירות המלך כי אם למען שלא אצטרך לבריות ולקחת דבר מישראל אבל לכלכל נפשי ולהיטיב ישראל.

Mann I. - I. A.D. #13 - pp. 273-4.

37. Mez. - Renaissance of Islam - pp. 28-33.

38. ובאותה השנה מת ר' פלטיאל הסגור לקהילות עם אל הדתים במצרים ובארץ ישראל בפלרמו ובאפריקאה ובכל ממלכת יסמעאל כי הוא רודה במלכות הערבים (מצרים) ובמלכות ארמום והמצרים ומלכות יסמעאלים וארץ ישראלים. ספר יוחסין לאחימנען, דף 21 *Salzman*

39. Enc. Judaica, Negidim - pp. 173-178.

40. ובראש של כולם... ראש גלי ת של כל ישראל... וקוראין אותי היהודי' אדונינו ראש הגולה ויסמעאלים קוראין אותו סייד אבן דאוד (ד) ויש לו שררה גדולה על כל קהלות ישראל.... והולכין עמן מרשים מן הגויים ומן היהודים בכל יום חמשי שהוא הולך לראות פני המלך הגדול ומכריזין לפניו עשו דרך לאדונינו בן דוד כראוי לו... והוא חכם על סוס ולובש בגדי משי ורקמה ומצופת גדולה על ראשו ועל המצופת סודר לבן גדול ועל הסודר רדיד וחוטם מחמד כתוב עליו ובא לפני המלך ומנשק ידו והמלך יקום לפניו ויושיבהו על הכסא שצוה מחמד לעשות לו ולכבודו וכל

Chapter V.

- מלכ' הישמעאלים הבאים לראות פני המלך כלם עומדים לפניו.
 40. מבעות של בנימין דף ס' וסוף ראש קאלה וסוף סדר
 41. כבא דמורתא פס ד' י"ב
 42. ואח"כ היתה מריבה גדולה ומחלוקת בינו (סעדיה)
 ובין דוד בן זכאי הנשיא כי ראשי גלויות אלו לא היו בעלי
 אמת והיו קונים נשיאותם מן המלוכה כמו מוכסים.

ספר הקבלה, דף 65, Neubauer, Med. Jew. Chronicles I,

43. The one occasion when its authority was questioned was in the case of R. Meir of Palestine in the 9th century. A serious conflict ensued in which R. Saadya of Susa defeated his rival.

44. Up to the second third of the 9th century the Responsa literature contains not a single reference by a Gaon of Pumbeditha while the activity of the Susa Geonim began as early as the 8th century. It was the richer and more powerful of the two. Both in the quantity and quality of the work Susa was the leader. When the extinction of the Gaonate was imminent, Pumbeditha stepped into the foreground.

Ginzberg I - pp. 51-2.

45. Nathan Hababli (82, 5 from below) reports that the Gaon received a fixed salary for personal use. Rav Amram in his Introduction to his Seder reports that one half or according to another reading one-fourth of all the donations fell to the share of the Gaon.

Rabbi Nehemiah in a letter addressed to the community requests them to send money for himself and for the academy.

Ginzberg I. - pp. 13-14.

46. בכל יום ויום עד שמינין תשובות כל השאלות שבאו להם השנה מקהלות ישראל ובתכלית החדש יקראו התשובות והשאלות במעמד כל החבורה כלה וחותר עליהם ראש ישיבה ואחר כך שולחין אותן לבעליהן ואז מחלק המסון עליהם.

Neubauer II. סדר עולם זוטא - דף 88 ---

47. In the higher academies there were Tannaim and Ammoraim. The Tannaim taught the freshmen the Mishnah and Tosefta - whilst the Amora'im taught and expounded the Gemara to the more advanced students.

J.Q.R. Vol. XI; Mann - p. 450.

48. (a) נושא צדקה וזכרים נאמנים
(b) Good discussion of entire subject given by
משרא - לחוליות החנוך הישראל בתקופת הנאונים
התקופה Vol. 20 דף 18-35, 257-60

49. See chapter II, notes 26, 33.

50. וכך היה מנהגם בחלוק כל מה שמויע עליהם מורדים ונדרבות בכל השנה הן מניחין הכל ביד אדם נאמן לצורך הוצאת התלמידים הבאים מכל המקומות..... וכשרואה את אחד מהם שאין תלמודו סדור בפיו יקשה עליו יותר ויגרע לו מחלקו ונוער בו ומוכיחו ומודיע המקומות שנתרשל בהם ושנתעצל בהם

ומזהירו בנפשו ומתרהו שאם ישנה כן פעם אחר ולא ישים לבו
אל תלמודו שלא ינתן לו כלום.

סדר עולם זוטא - דף 87-88. - Neubauer II

51. כי המנהג בבבל שבית דין הגדול הן ממנין דיאנין
בכל פלך ופלך וכותבין לו לדיאן אגרת רשות וקוראין אותו
דלשון ארמית יפתקא דדיאנותא. וכן מפרשין ראנחנא מניניה
להל בר כל' דיאנא באחרא פל' ויהיבנא ליה רשותא למידן דיני
ולאיתחזאה על כל מילי דמצואתא ודאיסורא והתיירא ודחילה שמיא
ובל מאן דלא מקביל דינא על גפשיה רשותא למעבד ביה מאי דחזי
כי היכרין דחייב מן שמיא.

לוי' - אצ' ג' כרך ד' - מס' משקין, דף 24 - ס' נ"ה.

Comp. לוי' - דף 23-24.

ובשחזא מגיע לשם בורר לו שנים מחשובי המקום להמנות
עמו על כל פסקי דינין שעושה.

סדר עולם זוטא - דף 85. - Neubauer II.

וזה לב חרד בכל עסקי הצבור כאשר נתפשים במס ובדרון
ובשאלת של(ום) הגדולים בכיתיהם. גם יש כך דרך לדעת איך
לשום שלום ומשפט שלום.

וזולתך קצור רוח אין בו כדי לעיין בדין גם אין בו
להתחלק אל שופר ומושל וסופר ובעל מס...

Mann I. B. 41 - p. 128; I. pp. 117-18.

53. וזה החוק שהדיין נוסל מאנשי המקום מכל אחד שהוא
מבן עשרים שנה ומעלה שני זווים בשנה וזו כפסת וזו
בסוכות ומה כחובה וגט ושטר חוב ושטר מחנה ושטר מכירה יש לתת

לבעלים די זוזי וסליש במשקל ישמעאל...

Neubauer II. -- דף 85.

54. J.Q.R. Vol X. - Mann - pp. 338-342.

55. See Chapter IV, note 245ff.

56. אסף - ספר השטרות לרב האי גאון. - שער אפיטורפא ליתומים, דף 49-51.

J.Q.R. - Vol. 10. - Mann - pp. 351-2.

57. ואם היה אותו דיין הממונה ישר בדרכו ונקי בדיניו, בחכו ראשי המקום וחשובים אל ראש גלות ומשכחין אותו בעיניו ואם שמא ח"ו שיהיה בו דבר רע או ימצאו בו שום דופי כותבין אל ראש גלות ואל ראשי הישיבות פלוני כמה מקולקלים מעשיו וכמה מכוערים דרכיו והן מסירין אותו וממנין אחר תחתיו.

Neubauer II. -- דף 85.

58. Ginzberg II. - pp. 265, 267.

59. והספור אין לו אלא בקבלנות שפוסק הדיין לתת לו בשנה.

Neubauer II. -- דף 85.

60. ואם היה עני שלא יוכל לתת הדבר הקצוב נוטל ממנו הסופר כדי השנה ידו ברשות הדיין.

Neubauer II. -- 85-86 דף

וכל מי שהוא עושה שטר בסתר מנדה אותו וקונס אותו

שיתן שכר השטר ומלקחו.

Neubauer II. p85-

62. See Chapter V. note 40a.

63. ספרי כבא :-
אסף - ספר השטרות, דף 5.
64. שלוחי ישראל
Aptowitzer - Gaonic Decrees and Documents.
J.Q.R. Vol. IV, pp. 38,39.
65. Abraham the priest, secretary to the academy of
מחסיא - perhaps he was secretary to Saadiyah.
אשרי אברהם משרתך אשר נרו מאורך לפורה יקרה נפשו
עליך כיידיעתו פקיד נאמן אשר אהבתו... משיב נפשך במלאכת
העבודה.
Schechter - Saadyana, pp. 64,67.
66. Mann, Studies in Jewish History - pp. 373-4.
67. והריין יש לו שני בני אדם שמעיינין וחוקרין
ומסקימין על כל רשותו שלא יהא אדם עושה מאלה הדברים
שכתבנו אלא על פיו.
סדר עולם זוטא - דף 85
Neubauer II.
68. Mann I. Ch. VI.
69. Mann I. Ch. VI., The various listed פקיד הסוחרים are:-
צדקה בן עזרא חלפון הלוי פקיד הסוחרים (1023)
ר' מחסן בן חוסין פקיד הסוחרים (1026)
מ' יקותיאל בן משה פקיד הסוחרים (1093)
Mann II, p.78 is perhaps another.
See Ch. IV., note 104a.
70. עתה אחינו אנשי שלומינו הוצרנו לשכור בשלוח
הזה נושא מכתבינו אליכם ואל כלל הקהלות שתי הכחות

המחוללות ישמרם מננו כזהוב וחצי.

Mann, Studies in Jewish History, pp. 367, 370.

71. בתקופה - XIX דף 223-4 ; משרוא - תולדות החנוך.

71a. Aegypten Enc. Jud I. - p. 1135.

72. ראשי הקהלות -- ראש הקהל -- פרומים.

Mann - Vol. I., Chapter VI.

73. התקופה Vol. 19 - דף 224-5

משרוא לתולדות החנוך, בתקופת גאונים בכל.

74. וראו' ינוקי לא גמרו אלא הכי במחתה ודר...

שמואל דר שילת (ב"ב 21) הלכתא היא הילכך ינוק

זוטרי אי מי רברכי אי באישי עבדינן להו כן.... שמואל

וינוקי בריאי אם מרבה עליהם ייסור אין בכך כלום... אבל

אם מרבה על הקס... הכחשים אכזרי ומתרינן ביה סימנ

והרין ותלתא אם מקביל מוטב ואם לא ת. 7

Ginzberg, Vol. II - pp. 112, 119.

75. Some of the brochures were :-

ספר המתינות; השאילות;

also the שלכות פסקות and פירושים of the Geonim.

התקופה - 20 דף 228-231; משרוא, לה' החנוך

בתקופת הגאונים.

76. Elhanan ben Shamir had an academy in Fustat which was

closed during period of Al. Hakim. -- Exe Jud-Aegypten

77. ורב חנואל עשיר גדול היה מהיו באלקירואן

מוחרים הרבה מטילים מלאי לכיסו והיו לו תשע בנות והניח

אלפים זהובים אחר מותו. -- ראב"ד - ספר הקבלה, דף 73.

78. Their knowledge of anatomy was not complete and they knew little of the study of the lymph or of the visceral diseases.

Islamic Culture I. 1927 - pp. 392-3.

H.M. Leon - Physiology and Medicine under the Caliphs.

79. S. Krams, Geschichte der Jüdische Ärzte - pp. 1-16.

E.G. Browne - Arabian Medicine.

80. ר' שרירא : - וששאלתם על ענין חולה או חיה בפסח אסור לבשל לחולה או לחיה בפסח חבשיל של קמח אלא אם יאמרו בקיאים (רופאים) שאם יאכל מצה יבואו לידי סכנה נפש... אלא על פי רופא בקי או על פי בקיאים שאומרים שאין לו רפואה אלא בזה ואם אינו אוכל אותו מסתכן וזה' מותר וצריך שיאכל מיד ואין משיירין ממנו כלום.

לוי-א' ו', ספר שו"כ' שלישי, סי' ק"ח דף 41.

81. Legacy of Islam.

M. Myerhof, Science and Medicine. - pp. 311-337.

82. His works are called "Nutzen und Schaden der Nahrungsmittel und Drogen".

J. Obermeyer - Die Landschaft "Babylonien" - pp. 338-9.

- 82a. J.A.O.S. Finkel - A Risala of Al Jahiz, p. 320. -(1127)

- 82b. Beazley - Dawn of Modern Geography.

83. Tritton - page 148.

84. E.G. Brown - Arabian Medicine.

85. Enc. Jué. - Vol. II. Anatomie, p. 785.

86. Mann - Vol. I, p. 14.

87. Enc. Islam, Al Kairowan - p. 648.

~~88. Enc. Islam, Vol. II, Al Kairowan - p. 648.~~

89. (a). Isaac Israeli was born in Egypt prior to 1832
and died in Kairowan in 932, 940, or 950 or 959.

(b). זיאר בן כלפון היה ביחד עם ר"י הישראלי רופא
המושל הראשון סבוי פאססא הוא אלסחרי אבי סחמד עבד
אללה בקירואן ושניהם בארו להמושל הזה את סם
המרפא גוז גודם. ולפ"ד הרמ"ש היה בלי ספק יהודי.
פוזנוסקי - אנשי קירואן.

Harkavy - Festschrift (1908), p. 192.

(c). Kitab al Hummayat-in Hebrew ספר רחמים
Kitab al Baul - in Hebrew ספר השתן on urine.
Kitab al Istikhtas - in Hebrew ספר היסודות
Med. and phil. work on elements according to
Aristotle, Galen and Hippocrates.

ספר הרופאים or סנה' ו הרופאים

Islamic Culture, 1927.

H.M. Leon, Physiology and Med. under Khalifs, pp393-5.

(d). Kraus - Aerzte - page 10, note 19.

(e). Neglect not to visit the poor, for there is no
nobler work than this; let thine own skill exalt
thee, and seek not honour in another man's shame.
Ask thy reward while the sickness is waxing at
its height, for being cured he will surely forget

thy
not
will
for
Hein-
shon-
der
young
?

what thou didst for him".

90. a The Arabs claim Dunash as their own stating that he accepted Mohammedanism. He is known by them as Abu G'eifr Ahmad ibn Ibrahim ibn al G'azar.

↳ In those days schools of medicine were few and those that existed could not be attended by Jews. (?)

~~90b.~~ Kraus - Aerzte, p. 10ff.

91. Legacy of Islam - p. 330.

92. Mann I. - pp. 83-84.

93. Document of 1066.

There appeared the just Sheikh Abu Imram ibn Ishak the Israelite physician to the Exalted Majesty and chief of the Jewish community, Rabbanite, Karaites and Samaritan.

J. R. Old Series, Vol. 19-1907, p. 485.

Gottheil, R. - Cairo - Synagogue 11th century document

94. Mann I. - pp. 83-85.

Abraham was known as אברהם הכהן

95. ואהובינו החרה והחזיר לבל לקרואו לו כתב אם יהא אליכם כי כתביו (חקק') עון וכתבי עמל והאמר לחזן לודותו אם יכשר ומה כתבנו פתח קטון אל הקהל לודותו.

Mann - Studies in Jewish History, pp. 327, 339-40.

96. S. Kraus - Aerzte, p. 11.

97. ור' צדקיה הרומא
מסעות של בונים
Adler דף ל"א.

98. Legacy of Islam - p. 338.

98a. Tritton - p. 154.

99. השר הא' ביש' הק' והנ' הר' (ופא) ראש שמאל הנגיד הנדול
נגיד עם ד' צבא שר השר ונגיד הנגידים מדרכי הזמן ימין
המלוכה עזר הנשיאות הקושה כמה הסדים וכמה טובות עם העניים
ועם בני תורה ז"ל.
בשם רש"י
ור' יהיה השר הא' ביש' הק' והנ' הרופא
החסיד בעודו הנפטר בקצרות שנים ז"ל ואחיו חנוניה השר
האדיר ביש' החכם והנב' הרופא
בשם רש"י
ר' שמאל השר הנכבד היקר הנ' והנ' הר' (ופא)
חנוניה השר הנכבד היקר והרופא

Mann, Studies in Jewish History, pp. 453, 468-470.

100. Caro - Vol. I, p. 266.

101. Sir Wm Muir - The Caliphate-Its Rise, Decline and
Fall - pp. 508-9.

102. לאדוני אבי עמר מהלון ראש כלה לפוסטאם בחנותו של כההון
הרוקח.
This shop was either the dwelling place of the Roah
Kallah or he was merely asked to deliver the letter to
him.
פירוש - ענינים שונים מנוגעים לתקופת הגאונים.
דף 50

103. His book in Hebrew is entitled סודות הזהב. It was
translated into Latin and called "Liber Secretorium
Alchemie."

Jud Enc. - Alchemie, Vol. II, p. 151.

104. Legacy of Islam, p. 380.

Mash-a'allah is known in Hebrew as Moses b. Abraham. He

also wrote a treatise in Arabic on "~~Gemäinwesen~~ Religionen und Nationen".

Obermeyer - Die Landschaft Babylonien, pp. 338-9.

105. Enc. Jud.-Astronomie, Vol. III, p. 600.

106. M.I. Schleiden, Importance of Jews for Preservation of herring in Middle Ages, p. 45.

107. Legacy of Islam - p. 361.

107a. Enc. Jud - Geographische Literatur - pp. 261-2.

108. ובלילה אחד והקיים (Arabian Commander) ור' פלטיאל יצא

להביט בכוכבים והביטו וראו והנה כוכב הקיים ושלש

כוכבים בלעה ולא ביחד בלעה אותם כי אם זה אחר זה שלטם.

ושאלו אל מעוז מה היבנותה בבינה והוא השיב אתה תאמר

ראשונה. ענה הקיים הכוכבים הם שלשה מדינות טרסנו ואור²טמו

ובארי שאני עתיד לקנות. ענה ר' פלטיאל, לא כן אדוני כי

דבר גדול ראיתי אני הכוכב אחד תמלוך באיסקליה והשניה

תמלוך באפריקא והשלישית תמלוך בבולוניהא. מיד חיבנו

ועל ראשו נשקו והסיר סבעתו ולו נתנו ושבעה נשבע למענו

ואמר אם כן כדברך וייאמנו סאמרך אתה תהיה על ביתי

ומושל בכל ביתי ובכל ממלתי. -ספר יוחסין לר' אחימעץ 13-17-

109. אדלר - סעודת של בנימין, דף 45, 52.

110. E. Adler - Jewish Travellers Petachya of Ratisbon, p. 68.

111. (הרכבי ח"ג דף 11 - ס"י 23. דף 148 ס"י 314)

S. Gandz - The Astrolabe in Jewish Literature.

Hebrew Union College Annual, Vol. 14 - p. 481.

See also מפתח - גמול"ס דף 30.

112. Enc. Jud. - Vol. III, Astronomie, p. 601.

113. Kitab al Scharch of David Al Makamini.

Kitab al Anwar weal Marakit of the Karaite Kirkisani.

- of the Karaite Jehuda Hadassi.

Enc. Jud - Geog.Literature, pp. 261-262.

Comp. Beazley - Dawn of Modern Geography, Vol. I,

pp. 393-7, 409-60; Vol. II, p. 224.

113. A.S. Tritton, p. 164.

113. Legacy of Israel.

A. Grullane- Influence of Judaism on Islam, p. 168.

114. Karpel's - The Jew in Hist. of Civilization, p. 80.

115. J. & R. - Old Series, Vol. 15, p. 168; Vol 17, p. 68.

Hirschfeld - Arabic Portion of Cair Genizah at Cambridge.

116. Legacy of Israel. The Jewish Factor - pp. 188-90.

117. Jewish poet Aba Zanzad wrote verses which were set to music by Ibn Mashaj abu Uthman Said.

Ismael the Jew and his daughter Kasmene are mentioned by Makkari as poets.

Mansur a Jewish singer was sent to greet a Persian musician.

A.S. Tritton, pp. 164,165,171.

Isaac Halevi ben Michael a lecturer on philosophy wrote a philosophical treatise using non Jewish authors.

J. & R., Old Series XVII, p. 67.

Hirschfeld - Cairo Genizah.

Chapter V.

118. ספר הקבלה - דף 66-67. Neubauer I.
119. בבבל יש שלשים כתי כנסיות... בחולו של מועד אומרים
המזמורים (תהלים) בכלי שיר ויש להם מסורת באיזה
נגונים ועל עשור בנגור יש להם עשר נגונים ועל השמינית
שמונה נגונים ועל כל מזמור יש כמה נגונים.
מבוב ר' פתחיה - אייזענשטיין, אוצר מסעות, דף 53.
ואם אנשים בלבד שאין עמהן אישה כמה מושר הדבר 120
וכל שכן אם יש עמהן נשים עונות לניגון וראוי שתנועו
מזאת כי פרצה היא ופתח לכמה קלקלות. וביותר בנבלים.
ובכנורות וכלי זמר שיש בהם נימין ועונבים והלילים אבל
הופים ומחלות העשויים לקול הברה בעולם בשעת תפוקת הכלה,
ולא בשעת משתה יש שמזולזלין בו וגם יגדר פה.
אסף - ת"נ דף 6-10, ס"י קצ"נ.
121. לרב הא"י:
וששאלתם כמה שטין צריך בכל דף ודף - מ"ב שטין ואין
לפחות מהן ושיעור זה נהנו הפנים וסופרים.
יעקב מוספיה - ת"נ דף 7.
122. Ernst Cohen Wiener - Die Judische Kunst.
123. There is no reason why one should adopt the view
of Margaliouth that the Karaites were more lenient,
and therefore permitted illuminations. On the con-
trary, the Karaites were more severe than the Rabban-
ites in all matters regarding the Bible text.
J.Q.R. - Old Series - V. 20 - 1908 - pp. 130-1
G. Margoliouth - Hebrew Illuminated Manuscripts

Chapter V

124. Gaster - Hebrew Illuminated Bibles of the IX & X Cent.
150

125. Gaster - Codex 151

126. British Museum - Hebrew & Samaritan Manuscripts
Part I, Biblical Text # 104 - p. 77

127. Ernst Cohen Wiener - Die Judische Kunst

128. Mann - Studies in Jewish History

Note 14 - p. 663

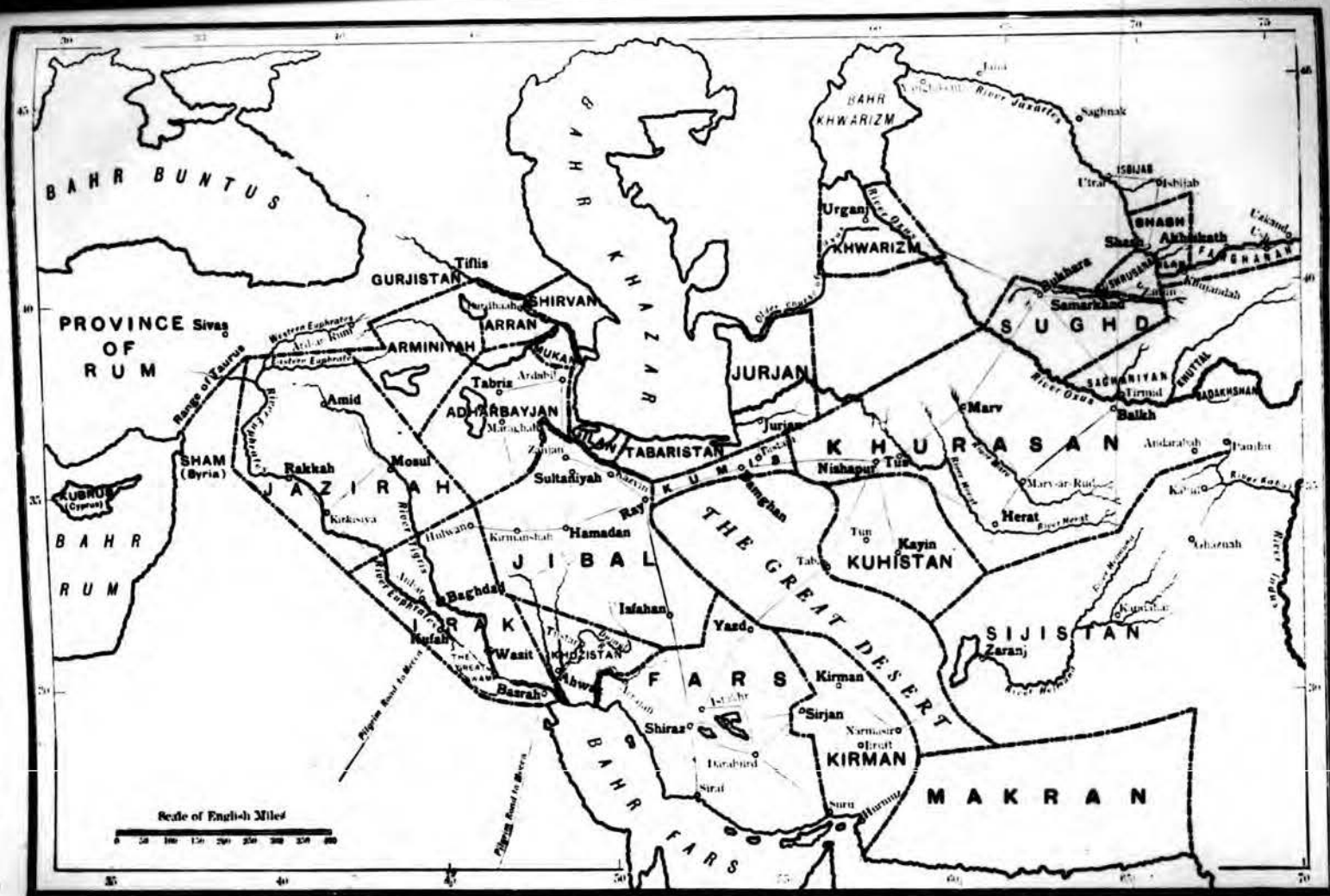
" 73 - 667

" 48 - 666

" 49 - 666

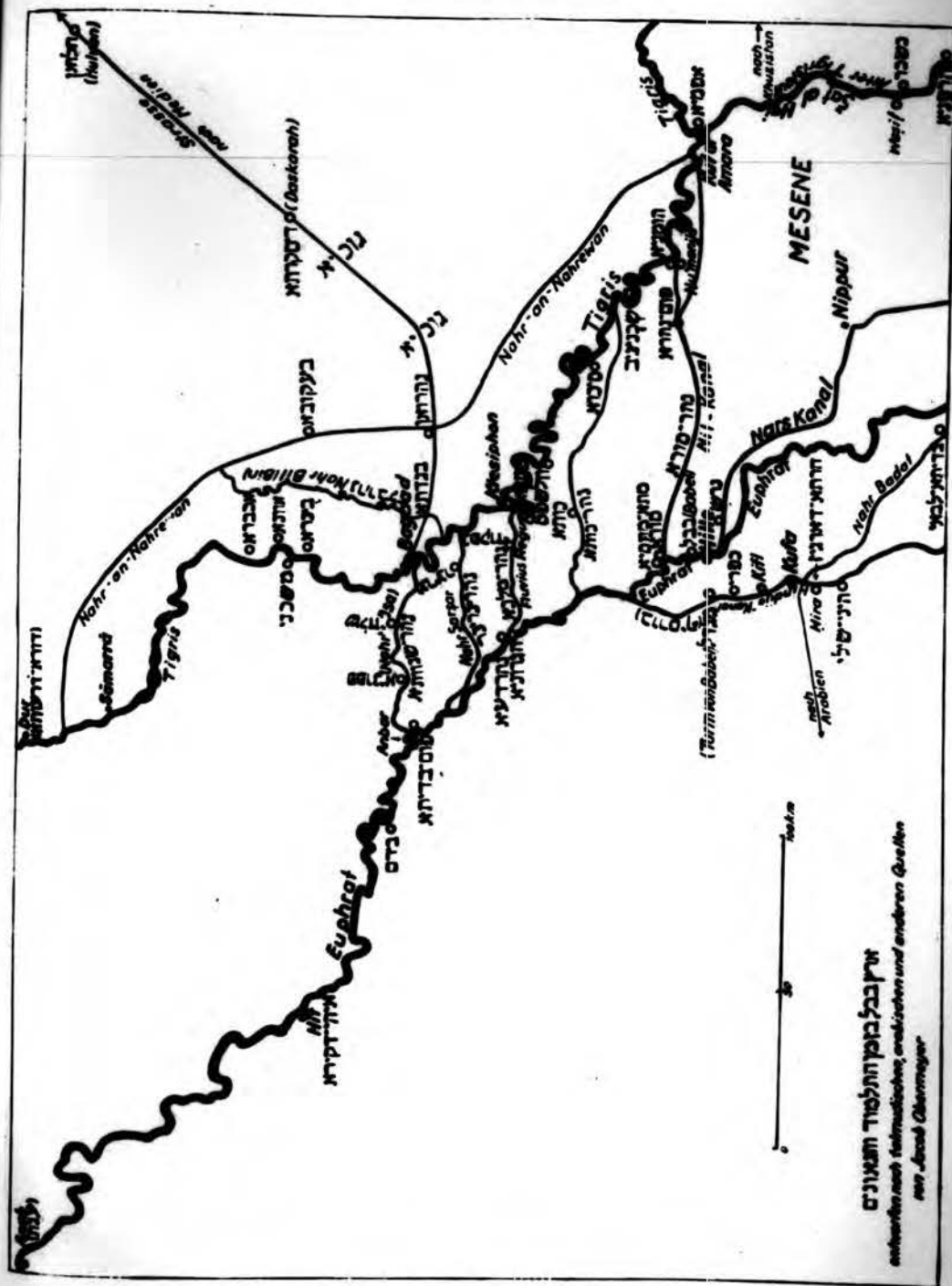
" 74 - 668

1. W. Sombart - Jews & Modern Capitalism - pp. 329, 333-4
2. Chapter II - Notes 36-40, 82, 103, 104
3. Chapter II - Notes 105-107
4. Chapter I - Note 39, Chapter II - Note 5
5. Enc. of Social Science - Agr. Labor - p. 547
6. Chapter III - B, Chapter VII - Notes 5-9
7. Chapter III, Chapter V - Section C - 2
8. Chapter IV - Section 1
9. Chapter IV - Notes 43, 44
10. Chapter IV - Notes 70, 72, 75, 80
11. Chapter IV - Notes 92, 93
12. Schipper - pp. 15-25, Chapter IV - Section 6
13. Schipper - p. 12
14. Caro - pp. 9 & 10
15. Sombart - pp. 169-170
16. D. Steffens - Kapital und Börse
17. J. Jacobs - Jewish Contribution to Civilization - 214 ff.
18. Sombart - pp. 64, 72
19. Enc. of Social Science - Commercial Law - p. 15
20. Chapter IV - Notes 235, 216, 217
- 20a. Hahn - pp. 103-105
21. Chapter VII - Notes 28, 29, 40



THE PROVINCES OF THE ABBASID CALIPHATE. SHOWING THE CHIEF HIGH ROADS

Le Strange G. "Lands of the Eastern Caliphate"



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