

Jewish Religious Leadership

Image and Reality

Edited by Jack Wertheimer

Volume 1



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Religious Leadership in Islamic Lands

Forms of Leadership and Sources of Authority

Menahem Ben-Sasson

I. Ecumenical Forms (The Pyramidal Structure)

The organization of Jewish public life during the early Islamic period has been described many times.¹ The traditional picture is one of

1. This paper is based on a number of previous publications of the present author and attempts to provide a new, integrated evaluation of the phenomenon of Jewish leadership in its broader context. The attempt to cover a broad span of time and space leads to generalities and to definitions that require updating with regard to specific cases. Previous literature includes S. D. Goitein, *A Mediterranean Society: The Jewish Communities of the World as Portrayed in the Documents of the Cairo Geniza*, 6 vols. (Berkeley and Los Angeles: University of California Press, 1967–93), vol. 2: *The Community* (1971); Mark R. Cohen, *Jewish Self-government in Medieval Egypt: The Origins of the Office of Head of the Jews, ca. 1065–1126* (Princeton: Princeton University Press, 1980); Moshe Gil, *Palestine during the First Muslim Period (634–1099)*, vol. 1 (Tel Aviv: Tel-Aviv University and Ministry of Defence Publishing House, 1983); idem, *In the Kingdom of Ishmael*, vol. 1 (Jerusalem: Bialik Institute; Tel Aviv: Tel-Aviv University and Ministry of Defence Publishing House, 1997); R. Brody, *The Geonim of Babylonia and the Shaping of Medieval Jewish Culture* (New Haven: Yale University Press, 1998); Menahem Ben-Sasson, "Varieties of Inter-communal Relations in the Geonic Period," in *The Jews of Medieval Islam: Community, Society and Identity*, ed. D. Frank (Leiden: Brill, 1997), 17–31; idem, "Italy and Ifriqiya from the Ninth to the Eleventh Centuries," in *Les relations intercommunautaires juives en Méditerranée et en Europe occidentale*, ed. M. Abitbol (Paris: CNRS, 1984), 34–50; idem, "The Emergence of the Qayrawan Jewish Community and its Importance as a Maghrebi Community," *Studies in Jewish Muslim Relations* 3, Proceedings of the 1st International Conference of the Society for Judeo-Arabic Culture, Chicago, 1984, ed. Norman Golb (1997), 1–13; idem, "The Jews of the Maghreb and Their Relations with Eretz Israel in the Ninth through Eleventh Centuries" (Hebrew), *Shalem* 5

several centralized, supracommunal institutions located in Babylonia and the Land of Israel, which stood at the top of the hierarchy and claimed sacred authority, thereby preventing the rise of local, independent Jewish communities. Only with the decline of these central institutions did new, supracommunal networks develop among the Jews of Egypt, Yemen, North Africa, and Spain. But by usurping the powers and responsibilities of the old sacred centers, these new regional centers in turn blocked the development of local Jewish communities in Muslim countries.

Such a highly organized picture of the central institutions governing the Jews in Muslim lands distorts the image of their society, which has been depicted within either a Geonic or a Mediterranean framework. Moreover, there has been a tendency to overlook specific societal features, such as local and family identities, in order to obtain a simplified and unified historical picture.²

The first part of this article summarizes an alternative description of intercommunal Jewish relations during the Geonic and classical Genizah periods (8th–13th centuries CE). Dealing with Rabbanite communities throughout the Muslim world, we focus on the variegated and sophisticated nature of intercommunal relations during the Geonic and Geniza periods. The second part describes the stages in the rise of local Jewish communities in Muslim lands, presenting an alternative institutional history of Muslim Jewish society.³

Supracommunal Authorities: Image and Reality

The basic structure of the institutions and organization of Jewish leadership was rooted in the pre-Islamic period. Following the Muslim conquests, the leadership of the two sacred centers in Babylonia and the Land of Israel was regarded as authoritative, both by the Jews themselves and by the non-Jewish rulers of these regions. Jewish leadership in these centers was concentrated in the four *yeshivot*: the three Babylonian *yeshivot* of Sura, Pumbedita, and the Exilarch

(1987): 31–82; idem, *The Emergence of the Local Jewish Community in the Muslim World (Qayrawan 800–1057)* (Hebrew) (Jerusalem: Magnes, 1996).

2. H. Graetz, *History of the Jews*, 6 vols. (Philadelphia: Jewish Publication Society, 1891–98), 3 (1894): 93–101; S. W. Baron, *A Social and Religious History of the Jews*, vols. 3–9 (New York: Columbia University Press; Philadelphia: Jewish Publication Society, 1957), 5: 5–24; H. H. Ben-Sasson, *History of the Jewish People* (Cambridge: Harvard University Press, 1976), 423–28.
3. M. Ben-Sasson, "Varieties," 18–31; *Emergence*, 401–24.

(Rosh Ha-Golah), who sat in Baghdad; and the yeshiva of the Land of Israel. (At the time, the term yeshiva was reserved exclusively for these leading institutions; it was never used to designate a local academy.) Claiming to be the sole legitimate successor to the Sanhedrin, both in name and in function, each yeshiva demanded recognition as the absolute authority for directing Jewish life.

Series of events that took place in Babylonia indicate that even within clearly defined areas of responsibility—i.e. the *reshuyot*—there was great potential for instability within the supracommunal network. We conclude that the traditional model of supracommunal, sacred leadership does not adequately describe the situation of all Jewish communities in the Muslim world. Indeed, as we have seen, it does not even adequately describe the situation in the classic Geonic period.

Sicily: An Imaginative Case of Communal Subordination

Sicilian Jewry has been regarded by scholarship as a community influenced by the traditions and authority of the Land of Israel. It has even been described as one of the communities officially subordinated to the Land of Israel center—that is, under the jurisdiction and authority (*reshut*) of Yeshivat Eretz ha-Tzvi.⁴ However, new data and their interpretation alter this conception considerably.⁵

The common conception of a connection between Diaspora and Center is based in part on estimates of donations to a particular center. As the Sicilian communities donated monies mainly to the Yeshiva of the Land of Israel, they were considered subordinate to that center. However, reexamination of the documents concerning the donations of the Western communities to the centers reveals an unexpected result. While the Land of Israel center enjoyed a larger financial share than did the Babylonian center, the Sicilians, like all the Western communities, sent their halachic queries to the Babylonia

4. J. Mann, *The Jews in Egypt and in Palestine under the Fatimid Caliphs*, 2 vols. (1920–22; repr. New York: Krav, 1970), 1: 73–74; Goitein, *Community*, 37, 96, 472; Gil, *Palestine*, 547–48 §776.
5. Sicilian Jewry has been blessed with four (some redundant) publications of its Genizah documents during the last decade: A. Greif, "Sicilian Jewry in Muslim Times (827–1061)" (M.A. thesis, Tel-Aviv University, 1985); Menahem Ben-Sasson, *The Jews of Sicily 825–1068: Documents and Sources* (Jerusalem: Ben-Zvi Institute, 1991); Gil, *Kingdom of Ishmael*, 1: 531–89; S. Simonsohn, *The Jews in Sicily* (Leiden: Brill, 1997–2001).

nian *yeshivot*.⁶

Moreover, even at a time of tension between Babylonia and the Land of Israel, a prominent scholar from Sicily, Rav Matzliah b. Elyah, studied with Rav Hai Gaon in Babylonia rather than in the Land of Israel. Rav Matzliah later became the chief rabbinic judge of Sicily, something we would not expect of a community subordinate to the Land of Israel Yeshiva. Even during the decline of the Babylonian center in the 1040s, the leadership in the Land of Israel could not have had any illusions with regard to its authority over the Sicilian communities. As a letter to the Gaon of the Land of Israel Yeshiva clearly states, his opinion in a certain halachic issue could not automatically be accepted, as he had no official authority over the communities west of Egypt.⁷

The relations between the Diaspora Jewish communities and those of the Land of Israel center are usually measured not only by institutional and social contacts, but also by the traces of Palestinian rites, traditions, and texts in a given community.⁸ A document from 1020 in Syracuse contains a peculiar item. Among details describing a protracted matter concerning one Elyah b. al-Harar, the silk-maker, the writer stresses that

Elyah b. al-Harar took an oath in their presence [i.e., of the members of the community who were present in the synagogue that Thursday] that he did not take the money, and the Torah was open <in front of him> and he read the Ten Commandments [to prove] that he did not take the money.⁹

6. For the documents dealing with the Sicilian donations to the Land of Israel center, see Ben-Sasson, *Jews of Sicily*, 143–55; for the questions sent from Sicily to Babylonian Geonim, *ibid.*, 131–32.
7. On R. Matzliah, see *ibid.*, 134–42; on the Gaon's opinion, *ibid.*, 166–69. As discussed below, the Egyptian Jewish court was alone subordinated to the court of the Land of Israel; neither the Jewish court of Tripoli, Libya, nor those in Sicily would be obliged to accept the decisions of the court of the Land of Israel.
8. See the methodological debate between A. Grossman ("Ties between Ashkenazi Jewry and the Jewry of Eretz Israel in the Eleventh Century" [Hebrew], *Shalem* 3 [1981]: 57–92; "On the Relationship of the Early Jewish Community of Ashkenaz to Eretz Israel" [Hebrew], *Zion* 47 [1982]: 192–97) and I. Ta-Shma (review of A. Grossman, *The Early Sages of Ashkenaz* [Hebrew], *Kiryat-Sefer* 56 [1981]: 344–52, at 345–48).
9. Ben-Sasson, *Jews of Sicily*, 105–6, lines 2–25.

At first glance, this manner of oath-taking could be seen as reflecting the practice of the Land of Israel, of parading with the Torah Scroll, reading the Ten Commandments (but not from the Scroll), and then returning the Scroll to the Ark. But in Syracuse, b. al-Harar actually opened the scroll, rolled it, and read the Ten Commandments from it. A careful examination of both the halachic and historical documentation points to this as a Babylonian tradition.¹⁰

Elyah b. al-Harar's oath reminds us of another aspect of Mediterranean Jewish social life, namely, the practice of interrupting public prayer in order to air a personal grievance in front of the community. Traditionally, historians viewed the development of this procedure among European Jewish communities as a response to the absence of organizational tradition; the custom was adduced as another proof that these communities were the first to form that entity known as "the Jewish Community," namely, a local, self-sufficient political unit in medieval Jewry.¹¹

A letter from mid eleventh century Sicily, presumably from Mazliah b. Elyah to Rav Hananel of Qayrawan, mentions (as if it were a familiar procedure) that one Shmuel b. Hayyim was "complaining and shouting" in an attempt to find some evidence to support his legal case. After failing, he accelerated his activities: "For a few months he shut synagogues and prevented [the people of the community of Palermo] from praying."¹²

In light of this new piece of information, other texts regarding *istighatha ila 'l-yahud* ("to call upon the Jews") and *mustaghith ila*

10. For the Palestinian rite see E. Fleischer, *Eretz-Israel Prayer and Prayer Rituals as Portrayed in the Geniza Documents* (Hebrew) (Jerusalem: Magnes, 1988), 220, 259–91; on the case under discussion and its meaning, see Norman Golb, "A Judeo-Arabic Court Document from Syracuse, AD 1020," *Journal of Near Eastern Studies* 32 (1973): 105–23, at 114–15; S. Lieberman, *Tosefta Kifeshutah*, vol. 7, *Order Nashim* (New York: JTS, 1967), 402–3 and n. 34; E. E. Urbach, "The Place of the Ten Commandments in Ritual and Prayer," in *The Ten Commandments*, ed. B. Z. Segal (Jerusalem: Magnes, 1985), 127–45, at 141–42 and n. 64; Menahem Ben-Sasson, "Appeal to the Congregation in Islamic Countries in the Early Middle Ages" (Hebrew), in *Knesset Ezra*, ed. S. Elizur et al. (Jerusalem: Ben-Zvi Institute, 1994), 327–50, at 344–45.
11. For the "traditional" literature on this topic, see A. Grossman, "The Origins and Essence of the Custom of 'Stopping-the-Prayer'" (Hebrew), *Mil'et* 1 (1983): 199–219, at 199–201; Ben-Sasson, "Appeal to the Congregation," 327–30.
12. Ben-Sasson, *Jews of Sicily*, 112–14.

yisra'el ("calling Israel for help") are firm proof of the existence of a semi-official procedure among Jews in Muslim lands by which the individual may bring his or her complaints before the public. All these cases turn out to have revolved around a procedural issue. The public was not requested to judge, as has been suggested, but rather to pressure the local institutions into completing the judicial procedure according to the request of the plaintiff.

But when describing the beginnings of the local Jewish communities in Muslim lands, these cases need to be considered alongside many other kinds of evidence. Their roots, even their common roots with the Ashkenazic communities, did not derive from their distinctive medieval reality, but from older Jewish tradition.¹³

The above description of the attitude of Sicilian Jewry toward the sacred centers of the Land of Israel and Babylonia is not sufficient to classify the Sicilian Jewish communities as typically Mediterranean, for the Sicilian case is indicative of an additional type of relationship with centers. Not only did the Sicilians manifest a deferential attitude toward the Land of Israel; not only did they accept Babylonian halachic authority almost completely; they also developed a functional dependence on the authoritative center of learning in Ifriqiya (i.e., North Africa or, more specifically, Tunisia).¹⁴

In the case of Sicily, unlike other centers, it was not merely a matter of turning away from the old, sacred centers in Babylonia and the Land of Israel and establishing a new one with native institutions of learning and original scholarship, but rather of becoming dependent upon a new regional center in nearby North Africa.

These two processes—the airing of individuals' complaints within the local community and the establishment of the authority of the local academy (or, in Sicily's case, substituting a new regional authority for the old centers)—signify a new era in the history of the Jewish people, in which connections between the centers and the local community were irrevocably altered. Until the fourteenth century, Mediterranean society was to include both types—relations with a sacred center and with a functional regional authority. The balance of power between these two authorities, however, was to be changed in favor of the local and regional functional authorities.

13. Ben-Sasson, "Appeal to the Congregation."

14. Menahem Ben-Sasson, *The Emergence of the Local Jewish Community in the Muslim World (Qayrawan 800-1057)* (Hebrew) (Jerusalem: Magnes, 1996), 280-81; "Italy and Ifriqiya."

This was the most important trend toward establishing functional independence from the old sacred centers and towards the rise of the local *kehillah*.¹⁵

Maghreb vis-à-vis the Land of Israel: Authority versus "Power"

As emphasized above, between the ninth and eleventh centuries no formal or functional relationship was established between North Africa and the Land of Israel leadership. At most, during the later part of this period, an attachment was expressed in ceremonial gestures. Yet even this did not detract from the strong functional connection between the Maghreb and the center in Babylonia, nor did it challenge the authority which members of the Maghreb communities ascribed to Babylonia.

Three groups of Maghrebi Jews were repeatedly involved in appointment to the highest position among the Jews, the Gaon of the Land of Israel: those living in the Maghreb, those in Egypt, and those in the Land of Israel. Their degree of involvement was in proportion to the communal consolidation and strength of each group. The object of their efforts was to achieve a common goal: appointment of persons preferred by the Maghrebis. Just as the Maghrebi community in the Land of Israel took pains to inform Maghrebis in Egypt and North Africa of occasional financial or other problems in the Land of Israel, and responses were not long in coming (whether directly or indirectly) in the form of political and financial support, so did they keep their brethren informed of what was happening in the highest leadership circles, and their responses helped to determine the Maghrebi candidates for leadership offices. The group least dependent on the central leadership institutions was that in the Maghreb, while the most subordinate group was in the Land of Israel. Thus, notwithstanding their formal subordination to the Land of Israel leadership and their functional, social, and ceremonial connections to that of the Maghreb, Maghrebi Jews in Egypt had considerable room for maneuver.

The method used to train rabbinical scholars in the Maghreb study houses, and the frequent contacts between North Africa and the Land of Israel, brought not only Maghrebi merchants, but also scholars, to Egypt and the Land of Israel. Some engaged in trade,

15. See section III on 200, Authorities and Institutions of the Local Community: Qayrawan.

while others sought their livelihood according to their own unique abilities—as judges in religious courts, cantors, or preachers in the various communities. An examination of the origin of members of the communal leadership in Egypt and the Land of Israel indicates that many of them were immigrants, and most prominent among these were the Maghrebis.¹⁶

On the basis of their training in the houses of learning of North Africa, and through their advancement within the hierarchies of leadership and learning in the Land of Israel, immigrants from the Maghreb established matrimonial ties with families of the traditional leadership in Egypt and the Land of Israel. Incidental reports of such marriages reached the Maghreb countries in letters from the newlyweds, letters of other Maghrebis, and in legal documents having to do with marriages—betrothal agreements, marriage contracts, and court decisions—in which the Maghrebis appear with appellations indicative of their lands of origin.

Involvement of the Maghrebis in leadership conflicts in the Land of Israel. The tradition of study, economic power, and access to centers of political power made it possible for Maghrebi Jews with the proper qualifications to rise to the highest position: head of the Yeshiva of the Land of Israel. This explains how two Maghrebis, one of whom had studied in North Africa, were appointed to that prestigious office in the eleventh century.

From the late tenth century on, Maghrebis were already involved in all the episodes that preceded the appointment of *geonim* in the Land of Israel. In a controversy concerning the office of the gaon at the end of the tenth and the beginning of the eleventh centuries, members of a priestly Maghrebi family from Sijilmassa challenged the gaonate of Samuel ben Joseph ha-Kohen, a member of a Land of Israel family of *kohanim*. But despite their failure on this occasion, not long afterward members of this Maghrebi family filled the senior leadership roles in the Yeshiva. Joseph ben Menahem ha-Kohen Sijilmassi presided as *av bet din* (president of the Rabbinical Court) during the first quarter of the eleventh century, and his son Solomon was appointed gaon in 1025. Solomon ha-Kohen the Maghrebite appointed Solomon ben Judah Fasi as gaon. The latter relates that when the previous gaon decided to appoint him president of the

16. Ben-Sasson, "Jews of the Maghreb," 53–76.

court, some people tried to challenge his promotion, arguing that he did not belong to one of the families worthy of the appointment. This argument was repeated in another context, in a description of how the Maghrebis gained control of positions and offices in Egypt and the Land of Israel. When Solomon ben Judah fell into disfavor, after nearly fifteen years in office, it was precisely the Maghrebis living in Egypt and their associates who were involved in an attempt to replace him with Nathan ben Abraham. They pressed for Nathan's appointment and, according to members of Solomon's party, Nathan arrived in Egypt from the Maghreb with letters of support from the Maghrebi leadership recommending his appointment as gaon of the Yeshiva of the Land of Israel. Both sides in this affair tried to mobilize the support of the most prominent Jew in the Maghreb, the Naggid, who resided in North Africa (on the office of the Naggid, see below, 203), asking him to make public his position on the appointment of a gaon for the Yeshiva. The appointment of Daniel ben Azariah was likewise not devoid of controversy. In this case, too, Maghrebis living in Egypt were enlisted to help him obtain the post. During the 1080s, when David ben Daniel sought the office of chief of the Jews, the Maghrebis in Egypt and Jerusalem came to his aid. Those in North Africa were not involved, as at the time they were busy restoring their own communities after the great sack of cities to which the Maghreb had been subject in that decade.¹⁷

Political intervention did not always take the same form, and not all Maghrebis were of one camp. However, the following elements are common to all four incidents mentioned above: in each, candidates from the Maghreb, or who had been educated in Maghrebi houses of study, were proposed; the candidates used informants among the Maghrebis living in Jerusalem to spread information favorable to themselves and detrimental to the other candidates; the Maghrebi group in Egypt used its connections with Muslim officials who had to approve the appointments, even reaching the caliph himself. In several of the affairs, the group in the Maghreb decided whom to support on the basis of a decision by the naggid, whose support influenced both Fatimid officials in Egypt and the decision of the Jews in North Africa.

The manner in which influence was brought to bear on the appointment of one or another person as head of the Yeshiva required the involvement of all three groups and frequent, vital con-

17. Ben-Sasson, *Emergence*, 368–76.

tact among them. However, as might be expected, the Jews living in the Maghreb, despite their being farthest away, were most influential. This was due to the presence there of the naggid, who held informal authority over the North African Diaspora and the authority to allocate the monetary contributions to the Land of Israel and to Babylon. Furthermore, he could also influence Muslim state officials. The frequent appeals to the naggid, specifically at times when the head of the Yeshiva was to be replaced, as well as the need to make his decision public, attest to the important role he played in appointments of heads of the Yeshiva of the Land of Israel. Moreover, once the Maghrebis had helped a certain person to gain the appointment, North African Jews were awarded other appointments and posts by the elected Gaon. Such was the case soon after the appointment of Solomon ben Judah, Daniel ben Azariah, and David ben Daniel to the office of head of the Yeshiva.

This involvement might create a sense of mundane affairs and petty calculations and lead to the conclusions not only that the Land of Israel was no more than a remote vision in the minds of Maghrebi Jews, but that, in addition, its leadership in the eleventh century was not appreciated, on account of the frequent intervention by Maghrebi Jews in its affairs and their ability to exert influence on the choice of leaders in the Land of Israel. The opposite, in fact, is true: the involvement in and financial support of the existing leadership institutions indicate a level of ties between center and Diaspora hitherto unprecedented in the Middle Ages. These ties included many aspects of the relationship between center and Diaspora and were grounded in the basic assumption that what happened in the Land of Israel was of great interest to the Jews of the Maghreb. From the various ways in which this relationship was expressed, we learn the importance Maghrebi Jews attached to the center in the Land of Israel by virtue of its sanctity and on account of its direct influence on Maghrebis living in Egypt and the Land of Israel. That is why Maghrebis sought to be partners in what was being done in the Land of Israel.

This partnership was expressed in ways more convenient to the leadership in the Land of Israel, such as financial support and pilgrimage, along with less convenient aspects resulting from intervention in internal controversies concerning the leadership of the communities in the Land of Israel.

Frequent contact and extensive involvement, then, should not

blur the fact that the center in the Land of Israel was important for North African Jews. Conversely, this contact and involvement enhanced the importance of the North African Diaspora to the center in the Land of Israel that was engaged in efforts to ensure its physical existence, and in internal polemics.

II. The Intercommunal Framework

As may be inferred from the above-described relations between the Maghreb and the Land of Israel, the traditional centers found fertile ground in the West, that is, North Africa and Spain, to exploit for their interests. While the sacred centers in Babylonia and the Land of Israel retained supracommunal responsibility for the areas under their jurisdiction and tried to demonstrate their absolute superiority, the real battles for sacred authority took place in the West, outside the *reshuyot*. Representing as they did a new potential sphere of influence, these unaffiliated Western regions greatly interested the old centers in the East. Moreover, the Western communities attracted them for three specific reasons. First, their intensive involvement in international commerce had made them very affluent. Second, as a result of general population shifts, they were growing rapidly in size. Finally, certain individual Jews in the West had found their way to the courts of Muslim rulers: the influence which they consequently acquired enabled them to play key roles both in the activities of their own communities and in international Jewish politics.¹⁸

Whereas in the East the leadership of supracommunal networks was largely determined by pedigree, Western communities were often led by skilled individuals lacking any sacred lineage. This should come as no surprise when we remember that the Maghreb was very much an immigrant society. To these Westerners, economic and political talent counted far more than noble ancestry. Hence the Western communities succeeded in assuming total control of their own affairs by fully exploiting the physical distance which separated them from the centers. Taking advantage of the fact that there was no local tradition of sacred authority, they were able to define their

18. For references see Ben-Sasson, "Varieties of Inter-Communal Relations," 23-25.

own developing, basic needs.

Thus, from the ninth century on we find the Maghrebi Jews involved in multifaceted public activities. These included:

1. The establishment of academies where local scholars could sharpen their dialectical skills. When halachic difficulties of a practical or theoretical nature arose, these academies frequently contacted the centers.
2. The creation of libraries for the use of local scholars. These collections were developed through overseas book orders, the topical organization of rabbinic responsa, and the composition of new works on a variety of subjects, including rulings on everyday matters.
3. The nomination of local judges and other officials, both in accordance with the communities' specific needs and with the nominees' own education and skills.
4. The exploitation of contacts at the courts of Muslim rulers for the communal good.

Naturally, the smaller communities in these areas came under the influence of several major centers, such as Tahert and Qayrawan, which were important commercial stations, or Cordoba and al-Mahdiyya, which were Islamic capitals.¹⁹

Before discussing the day-to-day relationships of neighboring communities, we should note the existence of certain special links among the mercantile class. I refer here not to the intensive and enduring business partnerships characteristic of the period, but to a wider network based mainly on regional contacts between merchants of different communities. While these relationships were originally rooted in common economic interests, shared public interests could be translated into regional activities as well. There were cases, for example, where merchants from a particular place adopted a common policy and became recognized as the "group" of that area. The merchants of the Maghreb, the Sicilians, and the Indian Karim, for example, all knew how and when to organize themselves into pressure groups, either to obtain tax breaks or to proclaim a ban against other groups.²⁰ They might even express their collective dissatisfaction with the leaders of other communities and support an alternative leader who would serve their interests better, as they did

19. H. Z. W. Hirschberg, *A History of the Jews in North Africa*, vol. 1 (Leiden: Brill, 1974), index.

20. Ben-Sasson, *Jews of Sicily*, 9, 406-23.

in the Land of Israel politics described on pp. 183-187.

Another expression of intercommunal development in the West was the promotion of certain local academies to the status of authoritative institutions of the region. Such was the case of Qayrawan, whose scholars were not at first officially acknowledged by Maghreb Jewry; consequently, the city did not enjoy the advantages of the sacred centers in the East. Due to their location and availability, however, the sages of Qayrawan came to be accepted over time and, once recognized by the Maghrebi communities as halachic authorities, were consulted on other public issues of a non-halachic nature as well.²¹

For the Eastern centers, the problem was clear: how to ensure that the Maghrebis remain tightly bound to them. Knowing the needs of the Western communities for responsa, books, and commercial contacts, the *geonim* employed existing intercommunal ties to develop their influence in the Maghreb. As leaders, they were not unique in combining economic ties with politico-religious aims. The Muslim caliphs also used the Maghreb-Mashreq caravan merchants, as well as the merchants who went to India, to deliver their messages and propaganda. In Jewish society, economic ties facilitated the delivery of mail, halachic questions and responsa, new books, and money. In order to develop contacts with the Western communities, which lay outside the *reshuyot*, the Eastern centers took several initiatives:

1. They bestowed honorary titles on the regional leaders. Traditionally, such honorifics as *Rosh Kallah*, *Rosh Seder*, *Aluf*, Haver be-Sanhedra Rabba, and Nagid belonged exclusively to the world of the sacred centers.
2. They composed books and dedicated them to the regional leaders.
3. They encouraged regional leaders to build a local network, over and above the existing commercial network, for the collection of funds and the delivery of responsa.

Throughout this period from the ninth to the eleventh century, the Eastern centers strongly encouraged the development of regional networks, which were also intended to serve their own interests. The relations between West and East, however, remained at all times voluntary; and, while the Western communities were not subordinated to the centers, they were loyal to them. If they participated in activi-

21. See above, pp. 182f., and below, n. 38 and section III on pp. 200ff.

ties sponsored by the latter, it was because they accepted their special authority. Paradoxically, the selfsame initiatives taken by the Eastern centers in order to strengthen their influence in the West ultimately served to undermine their interests by supplying the means for complete independence. The establishment of a legitimate alternative network, the replacement of direct contact with the *geonim* by recourse to their books, and the appropriation of the centers' exclusive honorary titles all paved the way for spiritual, halachic, and political autonomy.²²

The question thus remains: What was the precise nature of the relations established between the Eastern centers and the Western regions? As the latter were not part of any *rashut*, their relationship with the former was clearly unofficial. During the ninth and tenth centuries, the Western communities' need for practical guidance in halachic matters led the heads of their academies to initiate contact with the Babylonian *yeshivot*. Having developed links with the Babylonian center, by the beginning of the eleventh century the communities adopted a deferential attitude toward the *yeshivot*.

As mentioned above, the Maghrebis remained respectful toward the Yeshiva of the Land of Israel even if they did not seek its advice. Recognizing the geographical superiority of the Holy Land, they also required the Yeshiva's support for those of their brethren who lived within its *rashut*. Consequently, the Maghrebis sent a steady stream of donations to the Yeshiva and, as stressed above, whenever necessary intervened on behalf of its members with the non-Jewish authorities in the Maghreb and in Egypt. From the Yeshiva's viewpoint, such actions expressed deferential subordination to the center and were thus of considerable political and economic value.

In brief: During the Geonic period, the Western communities maintained relationships with both a supracommunal sacred center in the East and a local, intercommunal, regional authority. By the late tenth century, this balance of power was to tip in favor of the latter.

The process of vesting the regional institutions with authority heralds, as mentioned above with regard to Sicily, a new era in Jewish history—one in which the relationships between centers and local communities were irrevocably altered. This marked the beginning of real regional independence from the centers and the emer-

22. Ben-Sasson, *Emergence*, 281–92, 416–19.

gence of local replacements, namely, the *kehillot*.²³

As previously mentioned, there were two main types of intercommunal relationship. The “supracommunal” relations between a sacred center and its subordinate area entailed mutual obligations and responsibilities. The communities of a particular *rashut* were obliged to participate in this system and were expected to accept their center's authority. In the West, however, we may properly speak of “intercommunal” relationships, which did not involve subordination to any center but operated rather on a voluntary basis. Until the eleventh century, relationships of both type existed simultaneously: there were supracommunal organizations within the *reshuyot* and practical, intercommunal contacts in the West. The two were by no means incompatible; indeed, the intercommunal network served the sacred centers for a long time, without being part of the supracommunal system. Even when the centers weakened during the second half of the eleventh century, the leaders of the intercommunal regional networks made no attempt to claim sacred authority—which remained, in the final analysis, the prerogative of the *geonim* and the exilarchs.

Among all the Jewish regional centers under Islam, only Spain asserted total sacred authority. Already in earlier times they had developed an ideology of being the heirs of the exilarchs of Judaea. This ideology was deliberately expressed during the twelfth century, at the time of the Reconquista and the mass migration of Jews northward. Moses Ibn Ezra, Abraham Ibn Daud, and Judah Ibn Tibbon allude to the claim that in their time—and even before—Sepharad was a divinely chosen, temporary center. For Jewish refugees from Islamic Spain to the Christian North, there were obvious reasons for developing such a claim, especially when they began to encounter Jewish intellectuals of different cultural backgrounds. Even in this extraordinary case, however, there was no attempt to build a supracommunal network; the Sephardim continued to work within an intercommunal framework.²⁴

23. See the text at n. 15 above.

24. Spiritual justification for this assertion derived most famously from Obad. 20. For the claims, see Moses Ibn Ezra, *Liber discussionis et commemorationis (Poetica Hebraica)* (Judeo-Arabic and Hebrew), ed. A. S. Halkin (Jerusalem: Mekize Nirdamim, 1975), 54–87, and Abraham Ibn Daud, *The Book of Tradition (Sefer Ha-Qabbalah)*, ed. and trans. Gerson D. Cohen (Philadelphia: Jewish Publication Society, 1967), 263–304; and Ibn Tibbon's ethical will, in *He-*

The Making of the Alternative Regional Authority

Conveying Authority to Local Leadership

While the intercommunal networks continued to function during the eleventh and twelfth centuries, providing services which the local communities had come to expect of them, the old sacred centers began to collapse. The advent of the Seljuks in 1071 forced the Yeshiva of the Land of Israel into exile for some fifty years—first in Tyre, then in Damascus. Based outside the borders of the Holy Land, the Yeshiva's members now found it difficult to claim sacred authority. It was only in 1127 that the geonic families of the Land of Israel rectified a serious tactical blunder by relocating to Cairo.

Egypt was now the seat of power in the region and would remain so until the sixteenth century. Meanwhile, the Egyptian center had assumed control over those areas which had previously been under the jurisdiction of the Yeshiva of the Land of Israel. Although it functioned as a supracommunal authority, the powerful Egyptian community did not at first develop claims of overall religious superiority. This situation changed for a brief period around the end of the eleventh century with the coming of outsiders possessing sacred lineage, such as David ben Daniel ben Azariah, who claimed both Davidic and geonic descent. A further boost to the authority of the Egyptian center was expected when the Yeshiva of the Land of Israel arrived a quarter-century later.

A similar situation existed in Babylonia toward the end of the twelfth century, when the Gaon Samuel ben Eli sought to gain power in order to rebuild the supracommunal network and to reissue the age-old claims for sacred authority. His epistles to Eastern Jewish communities carried with them the old message of Babylonian superiority and strongly emphasized the holiness of the geonic dynasties. Simultaneously, descendants of the exilarchs issued claims for their sacred lineage and demanded recognition and support. In both cen-

brew Ethical Wills, vol. 1, ed. and trans. I. Abrahams (Philadelphia: Jewish Publication Society, 1926), 54–92. Living at a period of decline in Muslim Spain, all strove to perpetuate the cultural achievements of Andalusian Jewry in the havens they found on Christian soil in the less developed north; see R. Drory, "The Hidden Context: On Literary Products of Tri-cultural Contact in the Middle-Ages" (Hebrew), *Pe'amim* 46–47 (1991): 9–28; revised and expanded in her *Models and Contacts: Arabic Literature and its Impact on Medieval Jewish Culture* (Leiden: Brill, 2000), 208–32.

ters, then, descendants of the *geonim* headed a supracommunal network, continuing to employ traditional formulae evocative of their divine authority to rule the Jewish people.²⁵

The Demand for Sole Intellectual Authority:

The Case of Maimonides

Soon these authorities had to confront a new phase of leadership in the East: the intellectual supremacy of Egypt, beginning with Moses Maimonides (1138–1204).²⁶ With Maimonides' ascent to political power, a marked change occurred in scholars' attitude toward the idea of sacred authority. Maimonides was far more than an intellectual leader who participated in Jewish political life. Not only did he wage successful campaigns against the Gaon in Babylonia and the *geonim* of the Land of Israel who were based in Egypt, but he was also the first one to develop a comprehensive ideology in opposition to the power and respect vested in the so-called sacred geonic families. There is more than a grain of irony in the fact that the Maimonidean dynasty itself adopted the supracommunal system as a framework for its activities, claiming Maimonidean descent as a sacred justification. But, irony aside, during this period the framework for intercommunal relations in the East—including those with Yemen—remained decidedly supracommunal.

Rabbi Moses, son of the *dayyan* Maimoni, arrived in Egypt around 1165. Within six years, by 1171, he had become the *ra'is al-*

25. See Gil, *Palestine*, 739–76; M. R. Cohen, "Administrative Relations," in *Egypt and Palestine: A Millennium of Association*, ed. A. Cohen and G. Baer (Jerusalem: Yad Ben-Zvi, 1984), 113–35; Menahem Ben-Sasson, "Egyptian Jewry in the 10th–12th Centuries: From Periphery to Center," *Bulletin of the Israeli Academic Center in Cairo* 8 (1987): 14–16. For Babylonia see S. Poznanski, *Babylonische Geonim im nachgaondischen Zeitalter* (Berlin: Mayer & Mueller, 1914), 15–36; J. Mann, *Texts and Studies in Jewish History and Literature*, vol. 1 (Cincinnati: Hebrew Union College Press, 1931), 214–21, 251–53, 401–3; D. S. Sassoon, *A History of the Jews in Baghdad* (Letchworth: Alcuin Press, 1949), 6–99. On the exilarchs see Mann, *Texts and Studies*, 228–54; S. D. Goitein, *The Yemenites: History, Communal Organization, Spiritual Life* (Hebrew) (Jerusalem: Ben-Zvi Institute, 1983); A. Grossman, *The Babylonian Exilarchate in the Gaonic Period* (Hebrew) (Jerusalem: Shazar Center, 1984).

26. For full documentation and annotation to this section, see Menahem Ben-Sasson, "Maimonides in Egypt: The First Stage," *Maimonidean Studies* 2 (1991): 3–30, esp. 3–6, 15–17, 29–30.

yahud, the official head of the Jewish community in Egypt and of its immediate sphere of influence: Palestine, Greater Syria, and Yemen. His occupancy of this exalted office is attested by the fact that these communities began to invoke his name at the beginning of official documents, writing "under the authority of our master, Moses, the great rabbi in Israel."

How did a great scholar and physician, who had, not much earlier immigrated to a country filled with local Jewish leaders, come to occupy the highest political position in its hierarchy of leadership? What were the initial stages of his involvement in public affairs that brought him to this office? Maimonides' rise to public prominence is associated with the affair of Zuta, Head of the Jews, who like many of his contemporaries was known by a variety of other names and bynames, such as Sar-Shalom, Yahyya, and Abu Zikri. The answers to the above questions are rooted in this affair, which ought to be examined in light of the various sources of authorities in declining Egypt.

This Zuta with whom Maimonides struggled was neither a non-entity nor an unethical schemer who had forced his way into becoming Head of the Jews. The individual whom Maimonides confronted, and defeated, was a domineering, high-handed leader, close to the Muslim rulers, who enjoyed the greatest possible family pedigree in terms of leadership of the Jews, had lived in Egypt and Palestine, was a scion of the family of Palestinian *geonim*, and himself held the titles of Gaon and *Ra'is al-yahud*. The transition from the Fatimid to the Ayyubid dynasty (in 1171) was a period of distress for those who were close to the old administration but beneficial to those who were close to the new leadership.

This affair also sharpened, so to speak, the paradoxical nature of Jewish leadership in the Middle East: Maimonides rose to greatness after his struggle with the last members of the Palestinian dynasty. This was a practical struggle, entailing the denunciation of those leaders who argued for their supremacy by virtue of their descent from prominent families. The sun of the Geonic dynasty had not yet set before it was outshone by the rising sun of a firm opponent of dynastic leadership, him who was to become the first member of a new dynasty, the Maimonides family.

The harsh remarks directed by Maimonides against the Geonic dynasties in his epistles and other literary works might have pointed the way to a new type of supracommunal leadership, one that would

have derived its authority from the power of pure scholarship. Unfortunately, his call for reform came too late: the thirteenth century was a period of decline for the Eastern Jewish communities.

The Maimonidean case, in which local communities confronted immigrants who offered different sources of authority, is not unique. It was preceded by the case of Italian Jewish refugees who already in the tenth century had found haven in North Africa.²⁷

The Court as source of authority. In order to determine the degree of awareness on the part of each community of the institutions of the others, we have compared literary and documentary sources to investigate a phenomenon peculiar to the communities of the Maghreb, namely, the Nagid, and the degree to which this phenomenon penetrated the communities of southern Italy.²⁸ *Megillat Ahima'az*, a scroll relating the history of a Jewish family from southern Italy over a period of two centuries as told by a member of that family, Ahima'az ben Paltiel, in 1054, describes the great honor in which the caliph holds his Jewish courtier, the Nagid R. Paltiel.²⁹

In our opinion, this description was modeled on the *nagidim* of North Africa, inspired by the examples of Abraham Ibn 'Ata and Jacob ben 'Amram. The author of the scroll refers to him as Nagid three times, making him the highest-ranking courtier beneath the Caliph, and describes him as one who cared for the welfare of the Jewish community. In fact, although Paltiel, at least as described here, never existed, the basic elements of this Italian Jewish character were taken from the political and organizational reality of the Jews of the Maghreb.³⁰

27. For a detailed description of the process, see Ben-Sasson, "Italy."

28. For documentation and full annotation to this section, see Menahem Ben-Sasson, "Communal Leaders in North Africa: Figure and Image: Literary Composition as a Historical Source" (Hebrew), *Pe'amim* 26 (1986): 132-62.

29. See *The Chronicle of Ahimaaz*, ed. M. Salzman (New York: Columbia University Press, 1924, 70-73, 95-96. See *The World History of the Jewish People*, series 2, *Medieval Period*, vol. 2, *The Dark Ages: Jews in Christian Europe 711-1096*, ed. Cecil Roth (Tel Aviv: Jewish History Publications; New Brunswick, N.J.: Rutgers University Press, 1966), 102ff. (Roth), 250ff. (J. Schirmann). The entire subject of the nagidate is summed up by Cohen, *Jewish Self-government*, 12-16, 21-27.

30. Cohen, *ibid.*

The devices that characterize those bearing the title of nagid are also important to Ahima'az. During this period, the nagidship was a title granted to its bearer by the heads of the *yeshivot* of Babylonia, who did not hold any official Jewish post in the court of the rulers of the Maghreb. His importance to the Jewish community essentially lay in his special personal connections with the ruler. All of this is indicated in the scroll; however, we have enumerated those attributes of the nagid on the basis of information derived from historical documents of the period. In a letter from 1015, we read of the close connection between the ruler and the nagid. The nagid sets forth with the ruler on a military expedition to the distant Maghreb; the community is fearful upon his departure and joyous upon his return, not only because he is safe, but also because certain letters of the nagid have reached Qayrawan "recounting the fortification of certain of his Sultan's positions, making them several times stronger than they had previously been."³¹

While this letter expresses joy at the strengthening of the personal connection between the nagid and the ruler, another shows the feeling of dependency on the nagid and the sense of anxiety and uncertainty that followed his death.³²

Neither in these sources nor in others does the nagid seem to have been the appointed and official representative of the Jews in the Zirid court. It is emphasized that the nagid was close to the centers of power because of his special personal connections, and that due to this closeness he was able to protect his fellow Jews from the government and its representatives.

Thus, historical evidence from the Maghreb explains a deviation in literary practice which took place in Italy, and both the historical data and the literary phenomena show that organizational matters which were substantially connected to the Maghreb actually penetrated the Jewish communities of southern Italy as well.

In fact, from another document, dating from the first half of the eleventh century, we may have an indication that the second nagid of Qayrawan, Jacob ben 'Amram, was related to Jews in Italy, or at least had connections with the organization supporting the central institutions of the Jewish people. For money that was raised partially in Italy, and meant to be sent on to the Land of Israel, was deposited

31. N. A. Stillman, *The Jews of Arab Lands* (Philadelphia: Jewish Publication Society, 1979), 183-85.

32. *Ibid.*, 186-88.

with the "Roman" relative of the nagid.³³

We thus see that the connections between the institutions of the Jewish communities of the Maghreb and of Italy involved at least three dimensions: the presence of members of one community within the other; involvement and cooperation between the two community organizations; and similarity in the conception of an institution and its purposes. These were a fertile soil for accepting another individual authority from among immigrants.

The multifaceted character of intellectual authority. It should not be surprising, however, that the encounter between immigrants from Italy and the members of the Jewish community of the Maghreb gave rise to some tension. In one instance, the confrontation becomes one between two different conceptions of Jewish communal leadership and authority. The author of Megillat Ahima'az describes his ancestors, who were community leaders, as wonder-workers and writes at length on how they revived the dead, transported themselves magically from place to place, and calmed stormy seas and repelled enemies. Some forty years before the writing of this scroll, similar stories appear in a halachic query addressed to R. Hai Gaon by the community of Qayrawan. The questioners relate that the Italian tradition of wonder-working powers had reached Qayrawan with the immigrants. Apparently those traditions did not fall on barren ground, for the people of Qayrawan asked their question more than once. The problem was not simply the degree of truth of those traditions, but how they might perform the same wonders in their own time. The Gaon's responsum, phrased in his characteristic rhetorical style, is meant to convince the community that the tradition was false.³⁴ The Italian immigrants not only differed

33. TS 8.265, partly edited by Jacob Mann, "The Responsa of the Babylonian Geonim as a Source of Jewish History," *Jewish Quarterly Review* n.s. 11 (1920/21): 433-71 at 454-55; later edited in full by S. D. Goitein, "The Communal Activities of Elhanan b. Shemaria" (Hebrew), in *J. Finkel Jubilee Volume*, ed. Sidney B. Hoenig and Leon D. Stiskin (New York: Yeshiva University Press, 1974), 117-37; cf. Gil, *Kingdom of Ishmael*, 2: 348-50.

34. See *Chronicle of Ahimaaz*: revival of the dead, 66-67; stormy seas, 76-77, 92-93; magical powers attributed to holy books, 87-88, 75-76; evil spirits, 71-72. For the responsa, see B. M. Lewin, *Ošar Ha-Geonim*, vol. 4, *Tractate Hagiga* (Hebrew) (Jerusalem: author, 1931), 16-27; S. Abramson, *Studies in the Literature and responsa of the Geonim in Print and Manuscripts* (Hebrew) (Jerusalem: Mossad Ha-Rav Kook, 1974), 121, 262.

from the natives of Qayrawan in significant matters but were also able to influence them with regard to matters of faith, doctrine, and the character of Jewish communal leadership.

Scholars from the "Land of Edom"³⁵—not merchants—presented additional challenges to the leadership in Ifriqia in the areas of halacha and custom. Just as we have seen with regard to the tradition of wonder-working rabbis, problems arose concerning the halacha. We are not concerned with a marginal minority that did not merit attention, but rather with a group of immigrants who became a center of social ferment; and in some of the halachic problems and those of custom, the Italian approach won out over the traditional local one.

The historical circumstances that brought Tunisia to the fore during the eleventh century have been discussed elsewhere. Certain historical personalities seem to have played a role here. Italian Jews who traveled to Egypt in search of a high level of Torah scholarship were disappointed by the low level of studies there.³⁶ Two other scholars (perhaps somewhat earlier), the "captives" R. Hushiel and his son R. Elhanan, who were also on their way to Egypt, were persuaded by the local leaders to remain in Qayrawan. Thus, at a time when the former centers of Jewish learning were in decline, the academy of Qayrawan was strengthened; at the head of that institution, which was loyal to Babylonian doctrine, were two Italian immigrants. Clearly it was not in their power to replace the Babylonian tradition in Qayrawan with that of the Land of Israel, nor is it likely that they wished to do so. Even Italy at the end of the tenth century was not more given to the latter tradition than to the former. However, these two scholars did assist in the fortification of the local academy (*bet midrash*) as an independent institution and may have consulted sources from the Land of Israel along with Babylonian ones.³⁷

35. V. Aptowitz, "Untersuchungen zur gaönischen Literatur," *Hebrew Union College Annual* 8-9 (1931-32): 373-441, at 421-41; and see Mann's criticism in his "Varia on the Gaonic Period" (Hebrew), *Tarbiz* 5 (1933-34): 295-99.

36. S. Assaf, *Texts and Studies in Jewish History* (Hebrew) (Jerusalem: Mossad Ha-Rav Kook, 1946), 134, 137; translated and reedited by S. D. Goitein, *Letters of Medieval Jewish Traders* (Princeton: Princeton University Press, 1973), 40-42.

37. None of the questions sent from R. Hushiel, R. Elhanan, or R. Hananel to the Babylonian academies have been preserved; they bore, however, the title of *rosh be-rabbanan*. On this title see Mann, *Texts and Studies*, 1: 198, 205-6,

In Qayrawan, the tradition of the halachist rather than the wonder-worker continued to prevail, but the immigrants became the heads of the local academy. In time, a local scholar, R. Nissim ben Ya'akov Ibn Shahin, would inherit the position of his Italian teachers.

During the first half of the eleventh century, the academy of Qayrawan was not only considered authoritative by the Jews who lived there. It was also an authority for Maghreb Jews who had migrated throughout the Mediterranean, an authority that rested on a tradition of integrative study established in Qayrawan. However, that tradition was not continued in the Maghreb itself. The 1040s were already a time of decline in Ifriqia. The 1050s and 1060s were marked by the destruction of the urban settlements by bedouins of the Hilal and Sulaim tribes. Hence we need to return to Italy at the end of the eleventh century to examine the attitude of certain halachists there to the academic traditions of the Maghreb. A halachic question concerning the slaughtering of animals was addressed by the rabbis of Siponto to various authorities, but they received no answer.

A few scholars were present in that Beit Midrash. ... Some of them declared it kosher, and others unfit to eat. ... And no one was to be found ... who would either permit or forbid it until (arrived?) the responsa of R. Hananel Bar Hushiel of blessed memory and those of R. Nissim Gaon, of blessed memory.³⁸

These words were written shortly after the death of two scholars, yet nevertheless their authority was decisive. Thus we can say, not only that the sources which were summarized in Ifriqia became commonly accepted in Italy, but also that the authority of the last

246; idem, "Varia on the Gaonic Period" (Hebrew), *Tarbiz* 5 (1933-34): 148-79, 273-304, at 290-91. On the problem of the identification of Elhanan as Hananel and the penetration of sources from the Land of Israel to the local academy, see Ben-Sasson, *Emergence*, 225-29.

38. A. Neubauer, "Ancient Documents from Oxford" (Hebrew), *Ha-Maggid* 17 (1874): 41. On the period of these scholars of Siponto, see S. Abramson, *Rav Nissim Gaon, Libelli Quinque* (Hebrew) (Jerusalem: Mekize Nirdamim, 1965), xlv no. VIII n. 9; Grossman, *Early Sages*, 253, 351; Roth, *World History*, ser. 2, vol. 2: 180 (H. J. Zimmels);

generation of halachist active in that academy—one an immigrant from Italy, the other native born—was considered binding there.

Such was likewise the attitude of the Italian rabbis who made compilations during the twelfth and thirteenth centuries. Rabbi Nathan ben Yehiel of Rome's lexicon, known as *Sefer he-Arukh*, was another compilation of the teachings of the Geonim. Among those compositions most frequently used by R. Nathan were those of R. Hananel and R. Nissim. A quantitative test reveals the importance of those works in the compilation of the *Arukh*.³⁹ Shortly after it appeared, this lexicon was supplemented by a Tunisian halachist from the city of Gabes, R. Samuel ibn Jam'a. Other compilers who apparently were influenced by the doctrine of the *geonim* as summarized in Qayrawan were the Italians R. Isaiah di Trani the Elder and Zedekiah ben Avraham Anav.⁴⁰ To summarize, the characteristics and traditions of refugees could compete on equal grounds with those of the local residents in the places of refuge. That competition led to the creation of a new, synthetic cultural tradition, which in subsequent generations became the core of a tradition common to the Mediterranean basin, with roots in both Italy and the Maghreb. That cultural synthesis in time was to influence the way of life of the medieval Jewish community.

III. Authorities and Institutions of the Local Community: Qayrawan

Framework and Method

Turning from the discussion of supracommunal and intercommunal structures, one ought by rights to examine the basic framework of Jewish self-government—the local community—and its sources of authority and leadership. Any investigation into the rise of the local Jewish community must not be limited to ties between it and the

39. Abramson, *Rav Nissim Gaon*, index s.v. R. Nathan b. R. Yehiel; *Arukh Completum*, ed. A. Kohut (Vienna: Menara, 1926), 1: xii-xvi.

40. L. Ginzberg, *Geonica* (1909; repr. New York: Hermon, 1968), 1: 190-97. An interesting detail, although not from our period, is a reversal in the geographic pattern of the redemption of captives. After the Norman invasions, Jews from the Maghreb were redeemed in Italy by the Italian communities.

Jewish centers, nor to the community's evaluation of itself in halachic, legal terms. These two courses of investigation must be supplemented by study of the concrete, historic dimension of the community's life. In examining the three main areas of the community's social life—the formation of the community, the economic activities of its members, and family life—we also encounter the problematic around which our discussion shall revolve: namely, the trends that tended to undermine them. Such an approach will enable us to gain an impression of the full breadth of the community's independent activity and to identify those areas in which it nevertheless remained dependent on the central Jewish leadership.

Clarifying the relationships between the local Jewish society and its institutions in Qayrawan, and between these and the Jewish centers, will assist in shaping the answer to the question of the relative independence of the Diaspora communities, in both chronological and topical terms. Our discussion will therefore relate first and foremost to the community's life and institutions, from which we shall draw conclusions regarding the community's independence of or dependence on the central Jewish leadership and its institutions.

Alongside this discussion, we shall have frequent recourse to the two main axes around which this study revolves: (1) the sources of authority on which the local leadership was able to draw in its own place; (2) the extent to which the local society and its institutions were independent of or dependent on Jewish centers outside the Maghreb, in light of the fact discussed above, that the Maghreb communities were outside the *reshut* area and were therefore not officially subordinated to the centers in the East.

The question of the local community's dependence or independence thus concerns not only the relationship between the representatives of the community's institutions and the Jewish centers discussed above; it also relates to the trust in which the community's individual members held their institutions, on the one hand, and the constraints and possibilities governing the institutions' administration of the community's affairs, on the other. This returns us to the question with which we started, namely, the sources of authority of the local leadership.

Earlier studies of the foundations of the Jewish community's organization in the Middle Ages have already raised this latter question, which may be phrased as follows: Did the Jews' social organization in Qayrawan really become the basic cells of the community's

national life, able to provide the community's members with all their needs, in the absence of an alternative political entity? In another paper I have analyzed the following topics in order to re-evaluate the time and the process of making the local community.⁴¹

Family and Money. An examination of the factors that helped to account for the success of multifaceted commercial activity shows, however, that those involved in international commerce and its accompanying phenomena were, in fact, highly dependent on the Jewish institutions in general, and on the various communal institutions in their own community and others, in particular.

Power of Wealth. Thus a study of these alternative sources of authority, and of how they enabled the local communal institutions to assume the leadership of the community, is necessary.

Local Institutions. The institutions we have studied fall into two groups: those whose activities were entirely within the realm of the community, including the synagogue, the Hekdesh, and various charitable institutions; and those whose activities devolved from their connections with the central leadership institutions abroad, including the Beit Midrash, the Beit Din, and the nagidate.

The Synagogue. While the synagogue may not have fulfilled a leadership function,⁴² it did express, better than any of the community's other authoritative institutions, the nature of the Jewish community—an organic whole whose individual members had responsibilities to one another that demanded their cooperative efforts—and the social and communal identification of those who took part in the

41. See Y. F. Baer, "The Origins of the Jewish Community of the Middle Ages" (Hebrew), *Zion* 15 (1950): 1-41; Goitein, *Mediterranean Society*, 2: 53-55; H. H. Ben-Sasson, "A New Way to the World of the Geniza" (Hebrew), *Zion* 41(1976): 1-46; Ben-Sasson, "Emergence."

42. See also our analysis of "legal" procedures in synagogue, at n. 11 above and the history of the "Geniza" synagogue in Ben-Sasson, "Ben Ezra Synagogue during the Medieval Period," in *Fortifications and the Synagogue: The Fortress of Babylon and the Ben Ezra Synagogue*, ed. P. Lambert (London: Weidenfeld and Nicolson, 1994), 200-23, 259-61.

services. It fulfilled the community's needs, but did not direct the course of its life.⁴³

Local Academy. Thus, by virtue of its high standard, the quality of its legal decisions, and its method of learning, the Qayrawan Beit Midrash was able to serve both the needs of the local community, as it confronted its practical problems, and those of the surrounding communities.⁴⁴

Local Court. At this point in our discussion, we would suggest that the ability of the local community to run its life independently, based on the halachic sources and their adaptation to the community's contemporary situation, depended to a large extent on the level of learning and the judicial authority of the leaders of the local academic and judicial institutions, and the way these were put into practice as they guided the community.⁴⁵

The Nagidate. As for the office of nagid in North Africa, it is generally accepted that this was not acquired through official appointment by the Muslim ruler, but rather was an honorary title bestowed on him by the Jewish centers in Babylonia and the Land of Israel.⁴⁶

Achieving high status in the surrounding Gentile community was, indeed, an unrivalled source of power if one belonged to a minority group in the Middle Ages, and this was as true in the Muslim countries as it was in the Christian world. But while it may have had a basis in the Jews' need to protect themselves, this source of authority was not supported by any specifically Jewish values. From the Jewish point of view, being a member of the Beit Midrash, a halachic scholar, superseded such institutional power, and this is expressed in the forms of address used by members of the community in their petitions and letters.

Community Contact with the Centers

It would seem that, for the period of our study, the local commu-

43. Compare the views of Baer and Goitein (above, n. 41).

44. See Ben-Sasson, *Emergence*, 189-292.

45. *Ibid.*, 293-345.

46. *Ibid.*, 347-74.

nity's ties with the Babylonian center were based not merely on ritual gestures designed to show that the former still recognized their nominal subjugation to the latter; they were, rather, functional in nature and concerned the variety of problems the community's members encountered as they pursued their affairs.⁴⁷ When a responsum reached them from the Babylonian sages, it provided the community and its scholars with tangible evidence of the center's continued supremacy. However, the initiative and responsibility for sending questions to Babylonia lay with the members of the community themselves. There was no fixed or obligatory system of referral, nor was the community bound to accept the conclusions following from the decisions handed down from Babylonia. Those factors which did encourage the referral of such questions were social and academic in nature, and they led in various directions. While the referral of questions to the center made people more aware of its supremacy, the Babylonian sages also acted to strengthen the local leadership, in ways that were both subtle and direct.

Although according to an ancient demarcation of the *reshuyot*, the regions which were to be subject to the centers, Ifriqiya was supposed to be subordinate to Babylonia, it did not become so, despite the indirect efforts of the Babylonian Sages and those of the Land of Israel to keep it within their sphere of influence. This indicates the degree to which these communities' institutions were formally independent, and the maintenance of this independence depended on the local institutions themselves. When historical circumstances combined to diminish the power of the central leadership, these institutions were able to make their communities independent on the practical level as well.

Our study of several aspects of the society's needs, of the way the community was structured and its institutions, shows that Qayrawan's communal institutions were indeed capable of undertaking the tasks the society in which they functioned set out for them. While we were not able to discover what the internal structure of these institutions was like in the period of our study, we found that the circumstances surrounding this structure appear to have supported it, not only from the perspective of hindsight, but also from that of the people of the time. Their frequent recourse, in many different kinds of situation, to the judiciary institutions and to the

47. This section contrasts with the opening paragraph, where these contacts were described from the point of view of the center.

Beit Midrash, and the reputation enjoyed by these institutions throughout the Jewish world, indicate that the local leadership was able to realize its potential for independent action, despite the ritual gestures and consultations by which they maintained their ties with the Babylonian center.

It is not really all that surprising, one might say, that local institutions should have taken on the administration of the everyday affairs of a community so far from the center. In the East, however, there was a center that had an authentic tradition of learning and was considered the "high court" of world Jewry, and that itself, on the basis of these two factors, demanded the retention of its supremacy and authority over the outlying communities. The lip-service that continued to be paid to the supremacy of the center might have easily misled us into thinking—without even attempting a theoretical and halachic discussion of the "legal personality" of the community and its institutions—that the type of strong communal organization that already existed in Europe during this period had not yet come into being in the eastern and southern regions of Jewish settlement.

By studying the institutions of the Beit Din and the Beit Midrash, which paralleled those represented by the central Babylonian leadership, we have been able to show that they were able to provide a solid basis for the development of other local leadership institutions, notwithstanding Babylonia's continued claim to exclusive supremacy. Moreover, our investigation of the way of life of Qayrawan's community and its individual members provided evidence of the realization of their independent potential, supported not only by the Beit Midrash and Beit Din, but also by various other institutions and prominent individuals. The sense that this community enjoyed a special status—as expressed in its local customs, the praise it received from others, and the esteem in which it was held in other centers of Jewish emigration—was thus supported by its strong communal life, thereby fitting the general definition laid down by this study, that "it was right and necessary for each small communal entity to take upon itself all those offices and functions which were meant to serve the community as a whole."⁴⁸

One might have thought that once the community had reached this stage of functional independence and supremacy, and given its members their own consciousness of their priority, it would have

48. After Baer, "Origins of the Jewish Community," 1.

moved on to develop a clear definition of itself, both formally and practically, appearing as an independent body which not only sustained itself, but also delimited itself and the scope of its independence. The existence of so many conditions favoring such a proclamation of independence, however, was not necessarily sufficient, in the period and society with which we are concerned, to bring it about. There were several reasons for this, some of them connected with the principle of inertia at work in a society's definition of its own situation, and others related to the community's ever-renewed acknowledgment of the supremacy and importance of the center.

This tendency not to stray from its subordinate self-definition was not exclusive to Jewish society. It was common to the social structure of the Middle Ages, which had its roots in a powerful religiosity focused on eternity and the absolute. This was reflected in the relationships between the central Caliphates and their subordinate states. The local rulers were quite capable, in functional terms, of administering both the internal and the external affairs of the areas under their dominion with a great deal of independence, and they indeed did so; but when it came to their official posture, they continued their show of belonging to the united Caliphates. Such was the case of the relationships between the Abbassid Caliphate and the local Aghlabid rulers, and also of those between the Fatimid Caliphate and the Zirids throughout most of the period of the latter's rule in Ifriqiya. The period of their break with the Fatimid Caliphate was exceptional, but even then Al-Mu'iz did not remain outside the framework of Islamic unity, for he accepted the authority of the Abbassids.

The Jewish society of these Islamic countries, too, was accustomed to its ties with the central leadership institutions. These had existed even before the Arab conquest, and when the conquest facilitated the strengthening of these ties, the Jews found it convenient to do so. Even without the factors favoring the maintenance of this connection, to have proclaimed an official break with the center without an extremely serious reason for doing so would have run counter to the prevalent behavior patterns of both Muslim and Jewish medieval society, in the regions with which this study is concerned.

However, it was not only inaction which preserved the ties between the center and the outlying community. There were several

concrete reasons for their continued vitality, from the community's functional need for links with a center where the people's authentic traditions of learning were maintained, to its acknowledgment of the continued sanctity of these centers, their institutions, and the men and families which stood at their head. There were good reasons on both sides to continue to nurture the ties between the center and the outlying communities and to abstain from official proclamations of independence. It may well be that the central leaders' apprehension for their own status hindered them from defining the outlying communities as fully independent units constituting a leadership for Jewish society in the Diaspora.

The communities' links with a center whose authority was based on its sanctity also strengthened their awareness of the importance of another kind of link between points on a Jewish map, reminiscent of the awareness prevalent in Muslim society of the need for cooperation and unity within the caliphates. I refer here to the communities' expressions of unity with one another, and their strengthened sense of the existence of "Klal Israel," of a Jewish collectivity which continued to function as a unit of Jewish communities in Muslim countries. More than the small community, it was the community of Qayrawan that maintained these links, that felt this sense of cooperation. This sense functioned as a further brake on the development of any tendencies to officially express and delimit the power of the most central community in Ifriqiya and the Maghreb as a whole, though such trends might have gathered strength precisely from the centrality of the community charged with maintaining intercommunal links.

To have officially proclaimed their independence would thus not only have constituted a deviation from accepted custom; it would have been an open rejection of certain fundamental, sacred, and concrete elements—that is, the supremacy of the halachic scholars and judges—that were of direct significance to the inner life of the community. By denying the operation of these values in its external relations, the community threatened to undermine the foundations of the derivative values that supported its own functioning.

However, the Qayrawan community had no need to proclaim its independence officially, for alongside its gestures of subordination it enjoyed official and functional independence in all areas that concerned the administration of its everyday affairs, even if the source of authority underlying the operation of its communal institutions

had not been precisely defined in legal terms. Since these institutions needed their authority mainly to respond to the practical problems they encountered, there was no need to define it on the theoretical level, although from time to time they did require help with formulating ad hoc solutions to the problems presented to them. There was thus practically no opposition to the fact that these institutions governed the affairs of the community and that, moreover, the community and its individual members had frequent recourse to these institutions. This latter fact shows that they were able to keep their place in the community by virtue of their constant availability to it.

The status of Qayrawan's institutions and leaders had two main bases: their power, which had various sources; and the fundamental values of their community. The underpinnings of their status were thus both practical—in that they had the power to accomplish what had to be done—and ideological—in that this power was justified by the community's values. Hence they lacked nothing to maintain their status as the community's leadership. On all three levels on which we set out to examine it—the relationship between the society and its institutions, the effectiveness of these institutions, and the links between them and the institutions of the central leadership—we find that the Qayrawan community had the ability to function independently, and that this ability grew ever stronger over the course of time.

Almost the only thing that was lacking was for the community to define itself as an independent body. This lack, however, is only apparent from the perspective of our modern-day world, and not from that of the period with which our study is concerned. There was no contradiction between the community's practical, functional, and official independence and its continued dependence and loyalty to the centers as expressed through ritual gestures. For them, the two were complementary. Crisis in the centers would encourage Qayrawan to cut its connections and rely on its own powers. Such a period of crisis did occur in the third decade of the eleventh century. The only obstacles hindering the development of this "golden" age were the Bedouin invasion and the destruction of the main urban centers in the Maghreb.

In analyzing the main types of contact between the Jewish communities of Islam, we have seen how leading communities within the intercommunal network did not assume responsibility for the local

activities of smaller ones. In actual fact, the local community was the basic cell of Jewish public life. Unjustifiably dismissed as a later development in Islamic lands, the local community already existed in the ninth century. Outside the *reshuyot* it took full responsibility for its members in most aspects of their life, providing them with their secondary, communal identity. During the late Middle Ages, Jewish populations in Muslim lands developed predominantly regional, local, and communal identities. The supracommunal relationships, which had so long played such a central role, were thus consigned to oblivion.