

11-12. TWO ENTRIES FROM THE MARRIAGE REGISTER OF THE JEWISH

IRAQIAN COMMUNITY OF DAMASCUS

Feb.-March, 933

Damascus, the capital of Syria, belonged in pre-Islamic times to the Byzantine empire. Consequently, the Jewish community in that city recognized the authority of the Palestinian yeshiva, the leading religious Jewish body in that state, and continued to do so after the Islamic conquest.

In the fourth Islamic century we find in Damascus also a congregation of Jews from Iraq, which kept a separate place of worship, called "the small synagogue, that of the Babylonians", where some particular usages were observed. This is evident from their marriage register, two items of which are reproduced here.

In an Arabic document from the year 922/23, edited by Janine Sourdell-Thomine and Dominique Sourdell, the Jew Ibrāhīm b. Phineas b. Joseph sells in Damascus a piece of land worth 85 dinars. The editors rightly assume that this man belonged to the prominent Jewish family of Joseph Phineas of Baghdad.¹ Our marriage register seems to indicate indeed that the colony of Baghdad Jews in Damascus must have been one composed of well-to-do merchants, for the standard marriage gift (to be made by the bridegroom to his bride) in all cases registered was 25 dinars, while according to general Jewish usage, as attested also in the Geniza, it was 25 dirhems.² This statute of the "Babylonian" Jewish colony in Damascus obviously had as its aim that no one should be permitted to found a family unless he was financially capable to do so.³

The first three entries preserved refer to betrothal deeds and are written in Hebrew, the last registers a marriage and is in Aramaic, the language which was spoken all over south-west Asia prior to its Arabization. The Aramaic used was Galilean (Palestinian) and not "Babylonian", as one would expect in a document of an Iraqi congregation. The solution of the puzzle is this: as in Egypt, the not very lucrative profession of synagogue officials was often left to emigrants from Palestine, who used of course the idiom with which they were familiar from their native country.

The language problem does not end here. These scribes spoke, of course, Arabic or were bi-, or even tri-lingual. Many Arabic terms are used, but receive Aramaic endings. There are also Greek terms, but they had become parts of Aramaic speech centuries before.

11. BETROTHAL AGREEMENT FROM THE REGISTER OF THE "SYNAGOGUE
OF THE BABYLONIANS" IN DAMASCUS

Feb. 14, 933

TS 16.181, 11. 14-31.⁴

On Thursday, 16th of the month of Adar I, year 3 of the Week,⁵
a leap year,⁶ the year 4693 of the Creation of the World, in Damascus,
a ring of surety⁷ was given by Maṣṣūr ... [b.] Isaac b. Saʿīd b. Phineas⁸
for Zuhra ("Venus" (the planet)), the virgin daughter of R. Jacob ha-Kohen,
the scribe,⁹ according to the usage of the small synagogue, that of the
Babylonians.

They agreed on a bridal gift of 70 gold pieces, 25 being the
standard gift for virgins, and the rest an additional gift. Of these,

he paid in advance 15 good gold pieces of full weight at the time of the presentation of this surety. At the time of the wedding¹⁰ he will pay her 35 dinars, making a total of 50. R. Jacob, her father, received this ~~sum~~^{ring} of surety for her and he will be responsible for her maintenance until the wedding.

This engagement deed is valid according to the laws of Israel.

May they build and prosper.¹¹

The 20 dinars of the later installment remain on his neck.¹²

And may he be built (meaning: have children) by her.

Witnesses to this deed and to all that is written in it:¹³

(Thirteen signatories, among them rare names such as Tāvyōmō, an Aramaic equivalent of Persian Rōzbih, "Goodday", 'Uzayr, an Iraqi form for Ezra (cf. Koran 9:31), or Nissīn (for Nissīm) b. Seboy (Middle Persian Sēboe, "Little Apple", a name of endearment).¹⁴

The three latter names are found also in TS 12.592, a fragment containing signatures only.

The judge - the biblical word shōfēṭ is used¹⁵ - signs as last.

All these persons signed of course the engagement document itself.)

Notes

1. J. Sourdel-Thomine et D. Sourdel, "Trois actes de vente damascains du début du ive-xe siècle," JESHO, 8, 1965, 164-185. See n. 8, below.
2. For this early period the Geniza does not provide data about the exchange rate of dinar and dirhem, see Med. Soc., I, p. 369, from the year 986, where it is 1:30.
3. According to a later source, Simon b. Ṣemaḥ Dūrān (1361-1444), this statute was "in accordance with the tradition of the Gaons"; but no earlier witness to such a tradition has been found, see M. Friedman, Palestinian Tradition, p. 132, n. 32.
4. In Heb. Ed. Assaf, Texts, pp. 66-67. Important corrections in M. Friedman, op. cit., p. 409.
5. See p. , n. 6 above. (A 10).
6. The Jewish calendar is geared to lunar months. Since the total of twelve lunar months falls short by approximately 11 days from a solar year, a second month of Adar is added seven times in nineteen years. A year with two months of Adar (and a total of thirteen months) is a leap year.
7. Heb. ḥotam/ḥerāvōn, found in each of the three betrothal registrations, but seemingly not elsewhere. As the phrase implies, the ring constituted a guarantee that the bridegroom would not retract from the engagement.
8. The fact that here four instead of the usual two generations are mentioned by name, may indicate that the bridegroom belonged to the noble family of Phineas from Baghdad. See n. 1, above.

9. Her brother is the last, which means, the most prominent of the signatories of the next document translated here and his hand is superior to that of the communal clerk.
10. Heb. kenisato 'aleha is an Arabism (dukhulihi 'alayha).
11. Alluding to 2 Chronicles 14:7 (in Heb., v. 6).
12. The remaining 20 dinars were payable at the death of the husband by his heirs or by himself in case of a divorce.
13. For no evident reason these words are in Arabic.
14. Aram. sabboy, wine-seller, could hardly be a proper name.
15. For this term see Med. Soc., II, p. 315.

12. REGISTRATION OF A MARRIAGE CONTRACT IN THE SYNAGOGUE OF THE
BABYLONIANS IN DAMASCUS.

March 23, 933

The document translated is not a full-fledged marriage contract but registers solely the financial arrangement connected with the marriage. After the second word in l. 2 the scribe, who had also written the three preceding entries, was obviously called away and replaced by a man with an atrocious hand. In l. 19 the clerk came back and continued after the first letter of the eighth word; clearly the bystanders were as exasperated by the handwriting of the substitute scribe as we are today. To compound the difficulties of deciphering, many places are effaced or marred by holes. On top of all this, most of the document consists of an inventory of the bride's dowry, that is, of unconnected words concerning which one ^{has} to decide whether they are Aramaic, ^{Arabic,} Greek, or Persian. But it is precisely this composite character of the document which makes it interesting.

TS 16.181v, second entry, 21 ll. text, 7 ll. signatures.¹

On Thursday,² the 28th of the month of Adar II, year 3 of the Week, 4693 of the Creation of the World, in Damascus, Eli b. Wuhayb³ married Hiba (or Hayba?),⁴ the virgin, daughter of Jonah, and gave her as bridal gift a necklace and a pair of golden cow^{rie}-bracelets⁵ - worth 5 dinars. He owes ²⁰ ~~10~~ dinars,⁶ the balance of the standard bridal gift.

She brought in from her father's house:

Pair of golden bracelets	30 dinars
Gown (<u>jubba</u>), partly renewed ⁷	5
Gown, (newly) dyed	3
Gown with [...]	...
...	...
Shawl of plain (unpatterned) color ⁸	3
.. Gown
4 Shirts ⁹	4
2 Cloaks ¹⁰	5
Bathrobe, ¹¹ (newly) dyed	...
Slip for chests ¹²	2
A veil, woman's cap, 5 kerchiefs ¹³	...
Bedroom ¹⁴ with all that belongs to it	20
Couch ¹⁵	15
Living room ¹⁶	25
2 Brocade bedcovers	8
6 Feltcovers ¹⁷	10
10 Support pillows ("elbow-rests")	7
2 Curtains	6
A pot, ¹⁸ a stove, a washing basin, ¹⁹ buckets, hooks, a pitcher, ²⁰ a lamp, a cooling jug, ²¹ 11 juice cups, 11 mugs, one tray - all made of copper	40
A box with knickknacks ²²	15
4 Chests	8
4 Implements for undergarments ²³	4
1 Trunk	2

Moreover, she brought in from her father's house an apartment consisting of two rooms, one on the ground floor and one on the middle floor in the house of Ibnⁿ Arjawēni,²⁴ in the eastern part of the house. The boundaries of the apartment: from the south, the rooms of her father; from the east, the rooms of Aaron Ibnⁿ Nihmī,²⁵ from the north, the rooms of Ibnⁿ al-Nadā;²⁶ from the west, the door of the house and the street. These rooms with all their appurtenances, visible and invisible, were brought in by her, namely, three²⁷ shares, common and undivided, as described in this document.

Total value of the bridal gift and the dowry 262 dinars, besides those three shares.

May they build and prosper!

He added the sum of 15 dinars as an additional bridal gift for her.

(Nine signatures, among them two of Nihmīs, followed either by Heb. ʿēd, "^{witness}~~witness~~" (five times), or Aram. sehad, "witnessed," or Arab. shahida, which means the same. Two additions ~~AAA!~~)

Ezra b. Samuel b. Ezra witnessed ^{that} ~~then~~ the bridegroom²⁸ Eli had agreed to all the stipulations of this document (added in Arabic letters:) on the date noted in it.

(After another signature in Hebrew characters this entry follows in Arabic letters:) Hasan b. ʿImrān witnessed, namely on the day of the hashr.

(This term, not yet found by me, in connection with a marriage, seems to denote the collection and inspection of the dowry by the bridegroom, about which we read in other documents. Since he was financially responsible for it, he had to agree to the evaluation of every item of it. Hashr means "assembling" and denotes among other things, the collection and evaluation by state officials of an estate without heirs.²⁹

The couple whose marriage contract is registered here was poor and the bride obviously was a working woman, see last but one item of her dowry. The pieces of clothing, it seems, were estimated at twice their real value. As is known from various Geniza documents and other sources, there used to exist tacit agreements in this matter.)

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NOTES

1. In Aramaic. Ed. with facsimile S. D. Goitein, *Leshonenu*, 30 (1966), pp. 200-208. Linguistic comments by E. Y. Kutscher, *ibid.*, 215-216.
2. All four registrations were made on Thursdays, when the courts used to have sessions, see *Med. Soc.*, II, p.342.
3. "Little gift", one of the many Ar. equivalents of Heb. Nathan.
4. "Gift", Ar., extremely common as a name for males, but nowhere else found by me as one for a girl. The word is spelled hybh and could be read also Hayba "awe-inspiring appearance", "venerableness". This is not impossible, but must also wait confirmation by another example.
5. Ar. zayla^c, explained in the tradit^{tional} Arab. dictionaries, as "a kind of cowrie shell". The term has been found thus far only in another inventory from Damascus dated Bodl. MS Heb. d 65 (Cat. 2877), f. 30, 956, ed. S. Asser - D. ^{Tarbiz,} Baneth, ~~Varia~~ 9 [1938], 26-27. It may refer either to the form of the parts of the bracelets, or cowrie shells (which protect against the evil eye) alternated with small gold plates.
6. Text: dinerin, which is Ar. dinar, pronounced with shortened i, Imala (ē for ā)^{and} The Aram. plural.
7. In the Damascus documents jubba corresponds to the Eg. thawb.
"Partly renewed" translates mukhallafa, a clothing parts of which have been exchanged for new ones. The word could be read also mukallafa.
Mukalla^f(without a) is a type of clothing extremely common in the Geniza, but the word never has the form mukallafa.
8. Ar. - Persian taq musmat. The taq, like the taylasan, was worn over head and shoulders and an important piece of clothing.

9. Ar. qamiṣ has many meanings. Because of the comparatively low price it might correspond here to the Eg. ghilāla, the slip worn by women beneath their outer garment, cf. the modern meaning "shirt".
10. Text: malḥafān, i.e., Ar. malḥafa with Aram. plural, fem. The malḥafa was a cloak which could be used also as a blanket at night and is common in Geniza inventories.
11. Text: banar, Greek baniarion. Also in the Damascus inventory of 956, see n. 5, above, l. 14, cf. S. Krauss, Griechische ... Lehnwörter im Talmud ... (Berlin 1899), vol. II, p. 160. Same, Talmudische Archäologie, I, p. 223. Not found by me elsewhere.
12. Text: ghilāla de-shiddē (the first word is Ar., the second Aram.). As we do, they used to cover their chests and trunks with decorative covers or slips. ^{item} ~~An~~ common in Geniza trousseaux.
13. Ar. mindīl, mostly for covering the head.
14. Text: mysny. I take this as derived from Greek meson, "middle", see S. Krauss, Lehnwörter (see n. 11 above), p. 337, and corresponding, like masnwy, a few lines later, to Ar. waṣṭānī, middle floor, namely the second floor, where the bedrooms were located, as in TS 16.140, l. 5* (trans. p. below) and TS 8J4, f. 18c, l. 7. The reference here, then, would be not to the room but to its equipment, such as sleeping carpets, pillows, etc.
15. Text: mr̥bh, a slip for mr̥tbh, martabah, couch, rarely absent from any trousseau list. The same price for this furniture is repeatedly found elsewhere.

16. Text: bēthd and the lower ends of the letters yr (dīrā), meaning the equipment of a living room, mainly seating carpets and pillows.
17. Text: pīlōtīn. I tentatively derive this word from Greek pilos(t), felt.
18. Ar. suf1, rare, but found also in other inventories, see Dozy, Supplément, s.v. An old trousseau list, TS 16.80, l. 10, mentions a Damascene suf1.
19. Text: ṭashtīq, an Aramaized Persian word, common in Ar. in the form of ṭasht or ṭast ^{the second t is} (t, not ṭ).
20. The Greek kothon, spelled qīthōn, as in Aram. or Middle Heb.
21. Ar. barrāda.
22. Ar. bayt ṭarāʾif; the expression recurs only in the Damascus inventory of 956 (see n. 5, above), l. 23, where the printed text is to be corrected accordingly (the manuscript has the correct reading).
~~Similar~~ Similar utensils are found in other trousseaux.
23. Text: manṣībīn ghilālān (Aram. masc. ^{and} ~~and~~ fem. pl. endings), see Dozy, Supplément II, 677a, bottom, where manṣīb designates the various instruments for simple working operations.
24. The maker of purple, a common Jewish profession. Again ē for ā.
25. This family name, which recurs in various signatures_x in the marriage register, cannot be derived from Aram. nahamā, bread, because then an Aram. ending was required. It is the name of an Arab tribe still in existence in a territory not far north of Ṣanʿa, the capital of Yemen. During the nineteenth century many Jews were found in the Nihm land, see S. D. Goitein, ^{Travels} ~~Travels~~ in Yemen (Jerusalem, 1941), Engl. summary, 29-40. It is likely that the same was the case in early Islamic times and that Jews emigrated from there to Damascus.

26. Spelling: lnd'. Nadā, "Dew" is a title of honor, denoting liberality.
Nadā (without al) is a common female name today.
27. A house, like a dinar, was divided ideally into twenty four parts. The two rooms assigned to the bride were reckoned as three shares, that is, as one eighth the value of the property, which was "common, undivided" (Aram. m'āray^v de-lā peligh, corresponding to Ar. mushā'ghayr maqsum).
This means, she received the right to live in those rooms and the monetary value of one eighth of the house, but she could not sell those rooms or dispose of them otherwise without the consent of the co-proprietors. Normally a wife moved to her husband's domicile, receiving the rent of a house or part of one given to her.
28. Line 24: read htnh, see Lěsonenu 31 (1967), p. 160.
29. See Dozy, Supplément, I, 290b.