

is in order to complete their role as women. They may step out of their comfort zone for this reason only, but they do not set new rules or change power relations.

Going back to Goitein's initial claim about the ability to let women's voices be heard, it seems that the volume at hand is a major step in this direction and contributes greatly to our understanding of the place held for women in the Judaeo-Islamic milieu. One may learn how they were perceived and what roles were designated to them. We may also learn what happened to women that for one reason (perhaps even a very justified one?) or another, transgressed these rules, in some cases, aided by male counterparts, in many other cases, alone.

The volume could have been read as separate papers, however, the way the monograph was edited as a whole and the numerous cross references (particularly between the first three papers), contribute greatly to the cohesion of the book, allowing it to make some convincing arguments in favor of such reading of Genizah documents in quest of gender-related issues.

The book is a leap forward in the efforts of scholarship to learn about women's lives in medieval times. It seems that the concept that women's lives will never be revealed is slowly cracking. Indeed, in many cases one does need to make do with second-hand information, with men narrating women's words. However, the methodological tools and insights presented in the various papers may help us read other sources and ask new questions in order to learn about women of the past.

different transgression, one purely in terms of gender. These women left the place designated to their kind – the home and the private sphere. Having done so, they are unworthy of male protection and hence accountable — not for their moral sins, but for their gender transgressions. Still, it is puzzling the authors of these midrashim introduced public nursing into the text, as there are several references to the permissibility of such behavior.<sup>8</sup>

The question of accountability is of great interest. The three monotheistic religions share a similar conception of women's (in)adequacy and tendency to be tempted to wrongdoing. However, Christianity and Islam do not share the same notion of accountability. Of the few promised an afterlife in Hell, we can find at least one woman, the wife of Abū Jahl.<sup>9</sup> Additionally, at least some medieval scholars argue that women, as well as men, are obligated by the Quranic commandment of “commending the good and forbidding the wrong”. Indeed, some scholars limit women's commending or forbidding to other women, or to the private sphere and family members, but others see it as something required from every Muslim and Muslima, in the private and public spheres.<sup>10</sup>

Moshe Lavee's paper concludes the volume and deals with lost midrashic texts found in the Genizah. Why these texts were lost is a question that hovers throughout the paper. The three texts discussed present women rather positively, in contrast to more well-known (and not lost) midrashim. Was that the reason for not transmitting these midrashim? In at least one case of the three presented, Lavee demonstrates that this was indeed the reason. His concluding remarks warn against cherry picking, and against taking these texts as expressions of egalitarianism or a warning against patriarchy. Rather, these texts that depict women positively, and even attribute to them some agency, reinforce patriarchy. The women described in them do not represent transgressors, but women who accept their role and even male dominance. When agency is attributed to them it

8 See *Bereshit Rabba to Genesis 21: 7 (Vayera 53: 9)*, Albeck Chanoch and Yehuda Theodor, *Bereshit Rabba: Critical Edition with Notes and Commentary*, vol. 3, Jerusalem: Shalem Books, 1996, p. 156.

9 See Quran 111: 1-5.

10 Michael Cook, *Commanding right and forbidding wrong in Islamic thought*. Cambridge: Cambridge University Press, 2001.

they are ordered to carry out several actions: they are asked to shave their hair and cut their nails. This unusual ritual is traced by the author to Deuteronomy 21 and the rule of a beautiful captive woman.

Such an approach allows him to show the association between conversion, captivity and sexual subjugation. The author also demonstrates similarities between the Jewish ritual described above and an Islamic Prophetic tradition, narrated by Mujāhid b. Djabr al-Makkī (d. ca. 718-722). This tradition relates to the ritual one should impose on a captive of war before she becomes sexually permissible. As the author makes clear, Mujāhid b. Djabr al-Makkī is usually suspected of using Jewish material, and the tradition does not appear in *Saḥīḥ al-Bukharī*, or *Saḥīḥ Muslim*.

It might also have been of use to read this ritual along with the *fitra* tradition rather than with the rules governing war captives. The *fitra* tradition refers to purity rituals and the actions one should take at least once every 40 days (or before making an animal sacrifice), among which are paring of nails and cutting hair.<sup>7</sup>

The last two papers deal with yet a different genre, the Rabbinic midrash. Tali Artman-Partock's paper claims that there are (hardly any) women in Gehenna, the Jewish Hell. Let me reassure you that gender does not provide complete protection from Hell, however, so women still need to follow several guidelines. Under what circumstances are women consigned to Hell? Unlike men, women are considered less than fully accountable for their actions (and hence sins). They are inherently less wise, irrational and careless than men (not their fault, this is how they were created), hence unable to resist evil (*yetzer ha-ra'*). And yet some do get sent to Hell; see, for instance, the midrashim quoted by Artman-Partock refer to women who: "uncover their heads in the marketplace and rip their clothes and would nurse their sons in public and sit in the market to lead men astray". At first reading, the texts may be understood as referring to women who act promiscuously, revealing their hair and so on. However, the author argues that further investigation demonstrates that the words actually present a

7 E.g. *Saḥīḥ Muslim*, book 2 hadith 64, online version: <https://sunnah.com/muslim/2/64> (retrieved May 25, 2020).

court did so, in most cases, because the alternative was terrible for them, and in most cases their ability to address the court and receive help depended on the male backing they were able to produce.

Hence one must use caution in trying to surmise that the fact that women appear in legal statements is an indication of women's freedom or their actual ability to access legal aid. Rather one may learn about the way society in general treated women who dared to express their wishes, and the social and legal tools used by men to subjugate women into their designated role. It may be possible to retrieve women's voices from these text, but most of all we learn of social perceptions, power relations and characterization associated with gender roles and what happens to those who attempt to transgress them (even if they were being wronged).

Similar conclusions can be deduced when considering their Muslim counterparts. Muslim women had Sharī rights, but in order to actually enjoy them they needed their family's – in particular, their male relatives' – support. Women indeed turned to the court, but access to the court was greatly limited. The medieval Islamic legal discussions in many cases are *about* women rather than *by* women. Often this is still the reality of women throughout the Middle East. An interesting case in point is Iraqi women's struggle for a single Personal Status law. For the moment, a person may choose whether to be judged by state law or by tribal law. While the first extends several rights to woman (for instance, by defining acceptable forms of marriage), tribal law is far less attentive to women's needs. The ability of people to choose for themselves is used by men to coerce women into marriage or to divorce them on a whim.<sup>6</sup>

The fourth paper, by Moshe Yagur, looks into a different situation, the conversion of women. The paper presents the case of two sisters addressing the court and expressing the wish to convert: "You should know that we wish to enter the community of Israel – to be part of your community and leave our former community". After their wish is approved and the court allows them to convert,

6 See Noga Efrati, "Negotiating Rights in Iraq: Women and the Personal Status Law," *Middle East Journal*, 59: 4 (Autumn, 2005), pp. 577-595; eadem, "The 'Sectarian Narrative', the 'Salvation Narrative', and the History of Women in Iraq," *Zmanim*, 136 (2016), 78-89 [Hebrew].

that even where the letter was obviously dictated, the woman was *in charge* of the contents and had to approve it before it was sent. Hence, in response to the question raised earlier, letters preserved in the Genizah may at least in some cases echo the voices of women.

A different way to search for the female voice, or at least to learn some more about women's lives, is presented in Oded Zinger's paper. This paper is, as stressed by the author, part of a larger research project. It looks at women within the legal scene, and reads the corresponding legal documents in order to decipher the power relations presented. The paper may be divided into two distinct parts, one a general discussion of Jewish women and the court and the other presenting seven legal documents, each analyzed, translated, transcribed and given in facsimile. The texts and their analysis provide a rich picture of the way women used the court and how the court perceived and presented them. In some cases, the author also presents broader arguments regarding the place women held in the community in general.

The first two papers tried to distinguish between letters' actual female voices and the conventions that might have influenced the words now written. Zinger's paper situates women and Jewish courts in the larger framework of the Genizah society: how people approached the court, what was the relationship with the Muslim judicial system, what kinds of legal tools were available, and under which circumstances Jews – particularly women – turned to the Qadi for help.

It seems that these legal documents present women as strong-minded (although not in a positive way) and at times impious, vindictive and domineering. Zinger's analysis demonstrates that such a depiction may not represent the true course of events, but rather the way the (male) scribe perceived the situation. The choice of words and even the content of the claim reflect power relations within the community. For instance, Ezra b. Samuel b. Ezra was sued by his sister, Mubāraka, for her share in their father's inheritance. We do not learn of the reasons she thought she deserved this share, but we do learn that Ezra was a well connected person, who generated much support from his social network (pp. 42 ff.) and that he used his personal relationships to ensure the court's favor in the matter. This brings to the fore another interesting insight: women who went to

reminds her readers that one should not draw clear-cut conclusions from her paper, as she is yet to complete full-scale research on the matter. However, she provides ample theoretical insights as well as literary evidence that “authenticity” should be re-evaluated. Drawing on sociolinguistic theory, Wagner assumes that there could be a gender-based difference in the letters found in the Genizah. Indeed, upon reading numerous letters, a set of differences materialize. Wagner shows that the use of a vernacular and less formal register is much more frequent in women’s letters (written by or for women) than men’s letters. Following the lead of several linguists, however, she argues that the use of the vernacular may not necessarily represent how educated or literate the woman was,<sup>5</sup> but rather the way women communicated or were believed to be communicating. The use of the vernacular is considered to be more personal and emotional. Since many of the letters written by or to women were sent within the family, it is plausible that their writing would indeed be more emotional. Scribes may have taken dictation from women but may also have been writing what they thought represented a female mode of interacting.

A similar argument is raised by Renée Levine Melammed in the second paper of this volume. Levine asks several questions: Who penned letters sent by women? To what extent do these letters reflect the way women addressed others?

Levine discusses several cases in which the contents of the letter indicate that the author, the person who actually wrote the words, was female (be it an adult or a young person). And yet, in many other cases there probably was a scribe, either hired or a member of the family who was writing to dictation. She analyses the letters in terms of language and vocabulary, as well as for contents and subject matter. The paper presents the hardships women faced – being sent away from their family home with no one to turn to, being left with no provider – and in many cases their requests for help. For Levine, whether the letter was written by the woman herself or whether she dictated it is of little importance. She concludes

5 As discussed and questioned by Kraemer in: Joel L. Kraemer, “Women speak for themselves.” in: Reif, Stefan C., and Shulamit Reif, eds. *The Cambridge Genizah Collections: Their Contents and Significance*. Vol. 1. Cambridge: Cambridge University Press, 2002. pp. 178-216. He actually agrees with the concept that the voice is authentic, see p. 187.

Looking for female voices in medieval texts can at times be frustrating. In most cases one has to unearth the voice from its silence rather than the actual words. When a woman's voice is heard, it is a real cause for celebration, as rightly argued by Jardim.<sup>2</sup> But then again, once the words are read a new set of questions arises: who wrote them? Who preserved and narrated this particular text? What biases did the [male] author allow himself to express when quoting or rephrasing a woman's voice? Can we even contextualize these texts?

Scholars tend to read female voices recorded in historical narratives as constructs aiming at playing a part in a general narrative, and hence the woman presented – as well as words attributed to her – are nothing but pieces of a puzzle, filling a role in the broader narrative, a social and literary tool and little more.<sup>3</sup>

The Genizah is a treasure trove for directly illuminating the lives of the society that preserved it. Could the Genizah let us into the intimate lives of women in the Judaeo-Islamic milieu? Can we hear their otherwise almost silenced voices? S. D. Goitein definitely thought so: “in the Jewish books of the past, one learned about women from men. There was, however, one place where the female voice was heard directly and emphatically: in the papers of the Cairo Genizah. Here, Jewish women spoke for themselves.”<sup>4</sup>

The first two papers deal with the language of women's letters found in the Genizah and offer a methodological tool to study and understand letters written by, to and for women.

Esther-Miriam Wagner questions Goitein's claim to some extent. Wagner

- 2 Georgina L. Jardim, *Recovering the Female Voice in Islamic Scripture: Women and Silence*, London: Routledge, 2016. pp. 1-3
- 3 Nadia Maria El Cheikh, *Women, Islam, and Abbasid Identity*. Cambridge and London: Harvard University Press, 2015. p. 10; Jardim, *Recovering the Female Voice in Islamic Scripture*, p. 37 and the discussion presented therein. Some scholars would argue that any literary output should be read as part of an ideological manifest. See for instance Boaz Shushan, *History and Ideology in Early Islam*, Jerusalem: Bialik Institute. 2012 [Hebrew].
- 4 S.D. Goitein, “New Revelations from the Cairo Genizah: Jewish Women in the Middle Ages,” *Hadassah Magazine* (1973) vol. 55 no. 2: 14 [14-15; 38-39]. The Genizah collection brings to the fore various groups or situations, otherwise considered liminal and perhaps even none-existent. One such example is adolescents and their place in society. See for instance Miriam Frenkel, “On Adolescence and Adolescents in Jewish Medieval Society in the Lands of Islam,” *Zmanim* 102 (2008): 8-17 (Hebrew).

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The Genizah is a treasure house with riches that never end. While many fragments still await reconstruction, editing and translating, many others undergo further phases, of reading, re-reading and re-interpretation. The volume discussed here refers to Genizah fragments, many of them already read and some also edited, but shows them being read through a different prism, that of gender.

The volume is based on a workshop of the same name that was conducted in 2015 at Cambridge University Library. The workshop brought together scholars of various fields dealing with women, law and the Cairo Genizah. The volume includes 6 papers and 3 informative indices (sources, subjects and names and manuscripts). It was edited by Zvi Stampfer and Amir Ashur, both former members of the Genizah Research Unit of Cambridge University Library.<sup>1</sup>

The workshop and the papers in this volume seek to examine the interactions and exchanges between law, language and gender, as they manifest in the Judaeo-Islamic milieu of the medieval Middle East, looking in particular at gender relations and women's place in society. In his editorial remarks, Stampfer states that: "[This] workshop represented the first major foray into using the documentary sources and judicial monographs preserved in the Cairo Genizah for this type of research."

1 A personal note: I was meant to take part in this workshop but for various reasons was unable to attend.