

MS 193: Two Unrelated Texts

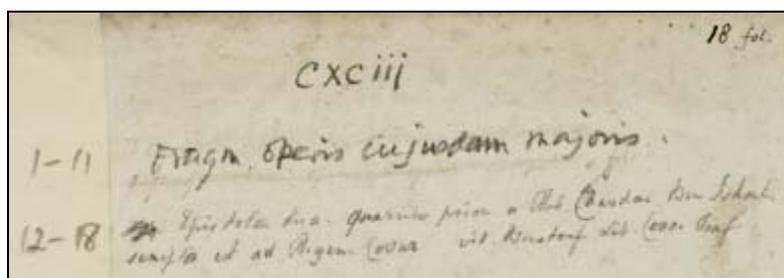
- (i) An Allegory on the Culpability of Speech for the Evils it Facilitates
or "Speech is Dumb";
(ii) the Khazar Correspondence.

A Study by Jeremy I. Pfeffer

Paper (ff.18), in quarto: OX 2454; IMHM¹ Film No. F 15582.

This is one of the most intriguing but also one of the most problematic items in the collection. The two faint inscriptions on the inside of the front cover, each in a different hand, read:

- 1-11 *Fragm. Operis Cujusdam Majoris* (A Fragment of a Larger Work).
12-18 *Epistolae duae quarum prior a Rab Chasdai Ben Ishah Scripta est ad Regem Cosar vid Buxtorf Lib. Cosar Praef* (Two letters, the first of which was written by Rav Chasdai ben Isaac to the Khazar King: see Buxtorf's *Liber Cosar*²).



There is also a barely discernible deleted line of writing between the two inscriptions; the page numbers, 1–11 and 12–18, appear to be recent additions.³

The two manuscripts are little more than fragments: eleven and seven folios, respectively, and have nothing in common except that they both date from the late 15th or 16th centuries; they were probably only bound into a single codex for convenience at some later date. The first (fols.1r to 11v) is an allegory, in a style akin to a Renaissance morality play or tale, on the Culpability of Speech for the evils it uniquely facilitates and what should or can be done about this. The second (fols.12r to 18r) contains copies of the letters purportedly exchanged by Ḥasdai ibn Shaprut,⁴ one of the most eminent Jews in 10th century Spain, and a King of the Khazars (Cosars)⁵ whose predecessors, together with many of their subjects, had reportedly embraced Judaism.

Sadly, there is, a serious problem regarding the integrity of codex 193. According to the original entry in Kitchin's catalogue (Fig.193.1), it should comprise 42 folios and not its present 18. Furthermore, the exchange of letters between Ḥasdai and the King, which now occupies fols.12 to 18, should begin on fol.35 from where it presumably continued up to fol.42. Taking Kitchin's entry at face value, it would appear that when he prepared the catalogue, the codex contained a further twenty four

¹ Institute of Microfilmed Hebrew Manuscripts, National Library of Israel, Jerusalem.

² A Latin translation entitled *Liber Cosri* of Judah Halevi's theological treatise *Kitab al Khazari* (ספר הכוזרי) published by Johannes Buxtorf the Younger in 1660.

³ The pencilled annotation in the top right-hand corner, *18 fol.*, also looks recent.

⁴ Ḥasdai ibn Shaprut (915–970), scholar, physician, diplomat, and patron of science, was the first Jew to hold a senior public office under the Arab caliphs in Spain.

⁵ The Khazars lived in what is today eastern Ukraine.

folios (19 to 42), now apparently lost. The deleted line in the inscription may possibly have referred to these missing folios.

CXCIII.	
Codex chartaceus, in quarto, ff. 42.	fol.
1. Fragmentum operis ejusdam majoris .	1.
2. Epistolæ duæ, quarum prior a R. Chasdai Ben Ishah scripta est ad Regem Cosar	35.
(Vide Buxtorfium, Lib. Cosar. Præf.)	

Fig.193.1: The original entry for codex 193 in Kitchin's catalogue, according to which it comprised 42 folios in all and the correspondence between Ḥasdai ibn Shaprut and the King of the Khazars began on folio 35. This is, however, no longer correct.

There are, unfortunately, still some errors even in the amended entry in the Library's present copy of Kitchin's catalogue (Fig.193.2).

CXCIII.	
Codex chartaceus, in quarto, ff. 42.	fol.
f. 12-18 1. Fragmentum operis ejusdam majoris .	1.
f. 1-11 2. Epistolæ duæ, quarum prior a R. Chasdai Ben Ishah scripta est ad Regem Cosar	35.
(Vide Buxtorfium, Lib. Cosar. Præf.)	

Fig.193.2: The entry for codex 193 in the Library's present copy of Kitchin's catalogue. The two pencilled addenda to the left are in the wrong order: the "Fragment of a Larger Work" is now the first item in the codex (fols. 1-11), and the correspondence is the second (fols. 12-18), i.e., the order they were in originally.

The First Manuscript (fols. 1r-11v): An Allegory on the Culpability of Speech for the Evils it Facilitates or "Speech is Dumb."

An old Hebrew foliation in the top margin of the recto pages of the manuscript runs from פד (84) to צד (94), indicating that what we have now are just the last 11 of what had once been 94 folios. The script is semi-cursive Sefardi and the text begins mid-sentence on the top line of fol. 1r; there is no indication of what might have preceded it. It ends on fol. 11v with the signature of Joshua di Viana,⁶ followed by the Hebrew phrase תם ונשלם (finished and completed) and an enigmatic six line verse postscript.⁷ The partial watermarks in this manuscript are variants of the widespread medieval hand/glove category, in this instance with four fingers closed, thumb open and a six petal flower or star extending from the tip of the middle finger (Fig 193.3).⁸

⁶ Most probably the town of Viana in the Kingdom of Navarre that only came under the Spanish crown in 1512; see footnote 20 below.

⁷ For a discussion of the fragmentation of Hebrew manuscripts see: בנימין ריצלר, כתובי-יד עבריים שנתפצלו, אסופות; ספר שנה למדעי היהדות א (תשמז) קה-קנה.

⁸ Some one hundred and fifty different categories of watermarks that were in use prior to 1600 have been identified and catalogued. Of these, only eight are representations of human figures or parts of the human body, and of the latter, only

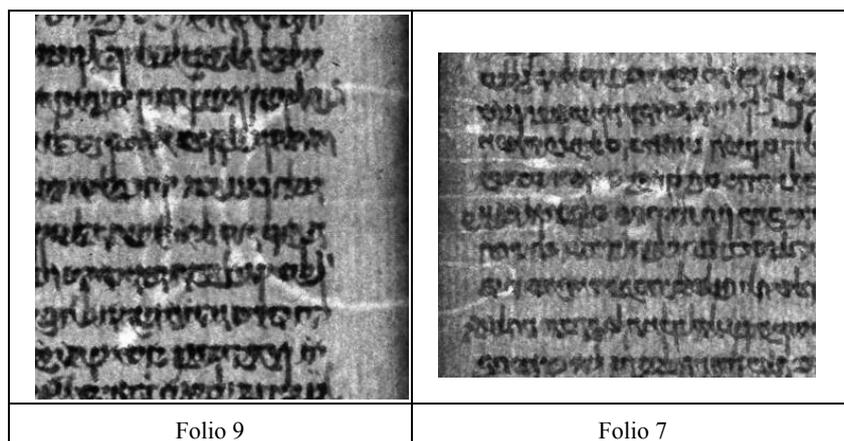


Fig. 193.3: The partial watermarks in the first manuscript in codex 193: four fingers closed, thumb extended and a six petal flower or star running out from the tip of the middle finger

Treated as a play, the work comprises three Acts. The *dramatis personae* are a King, a Yemenite sage, the king's wise men and Justice. The first Act (fols. 1r–5v) opens with a lengthy Rabbinical-type discourse by the King in which he presents an exhaustive and detailed catalogue of the many evils facilitated by Speech (לשון) under four principle headings:

Uttering a Vain Oath (שבועת שווא). It is written in the Torah, “You shall not take the name of the Lord your God in vain, for the Lord will not hold guiltless whosoever takes His name in vain.”⁹

Calumny (מלשינות). An informer (מלשין) is one who puts his fellow's money or body in the hands of gentiles or reveals to them matters concerning Israelites.

Gossip (רכילות). It is written in the Torah, “Do not go tale-bearing among your people; nor stand idly by the blood of your neighbour.”¹⁰

Slander (דבות). Whoever besmirches a person's name (המוציא שם רע) and slanders his fellow, denigrating him with the intention of disgracing him, is most despicable and seditious in the eyes of God.

The King also lists and exemplifies a number of secondary categories by which a person may sin – Lying (כזב), Flattery (חנופה), Scorn (ליצנות), Profanity (נבלות הפה), Perjury (עדות שקר) and Cursing One's Father and Mother (המקלל אביו ואמו) – but which are not as grave as the four principle evils, for a person does not routinely commit them (איך אדם נכשל בהם תמיד).

And when the King had finished declaiming the blemishes of Speech (מומי הלשון) and listing all the abominations it engenders...the countless casualties it has caused – men, women and children, even destroying entire towns and cities – that all the people did cry out and weep...And they all tried to bite off their tongues with their teeth.

And this greatly distressed the King for it was not fitting; the [people's] pain was clearly beyond bearing.

The King's subjects were so chastened and shocked by his admonition that they resolved to forswear speech altogether and to bite off their tongues. But the pain that this entailed distressed the King still more; it was clearly too much. There had to be a better way of dealing with the evils that Speech (לשון) engenders than biting off one's tongue (לשון).¹¹

the hand (or glove) is found in any great frequency. Horodisch A., *The Aesthetics of Old Watermarks*, The Briquet Album, The Paper Publications Society, Hiversum (1952), p.107

⁹ *Exodus* 20:7.

¹⁰ *Leviticus* 19:16.

¹¹ The Hebrew word, לשון, can mean speech or tongue.

Act Two (fols. 5v–7v) opens with the King resolved to find a better way of putting an end to these evils. Instead of the people cutting off their tongues, he decrees that Speech be paraded through the street in a hat and tunic that proclaim its ignominy and then be put to death.¹² Whereupon, a Yemenite sage (חכם תימני) steps up and hands him the following letter from Justice (צדק):

“O great and illustrious King; I am Justice your devotee...I departed from you just three days ago and I am sending you this letter with one of my trusted lads who will speak on my behalf. Please listen to him, for if you do I will yet return to you; but if you refuse to...I will never see you again and this is farewell.”

The King is taken aback. Justice had always been a friend and source of strength to him, so why had it now threatened to desert him? The Yemenite sage explains:

“I have been sent regarding the sentence handed down on Speech. Thus says Justice: This sentence is darkness and a deathly shadow; it is unconscionable and will anger all beings above and below...Speech is not to blame for these evils for it is just an articulation of the mind; it only intones what the mind forces it to say and, like a slave, has no choice in the matter; it is *Anuss* (the Hebrew term for compelled or constrained)...and God will forgive it.”¹³

Mortified by this rebuke, the King turns angrily on his wise men:

“Can you refute what the Yemenite has said? What can the King and his advisers say when the sentence they handed down on Speech is overruled? Those who would judge have themselves been judged. It is shameful that the eyes of the court were so blind as not to see the difference between compulsion and free-will.”

The wise men do not, however, relent and they put forward two counter arguments. First, that the Yemenite sage is lying about being sent by Justice:

“You are not an agent of Justice; it never sent you. Except for his own self-esteem, this Yemenite has no brain in his head!”

Second and more to the point, that Speech itself had never claimed it was under duress when uttering these evils.

Ignoring the personal abuse, the Yemenite sage rejects the notion that Speech’s silence denotes consent. Scripture, he replies, has instructed us: “Open your mouth and speak up for the dumb.”¹⁴ Speech cannot speak for itself; it is as though dumb. Furthermore, a victim’s silence may be the result of shock or trauma and someone else should speak up for him or her.

In the fierce debate that ensues, both the Yemenite sage and the wise men cite Talmudic precedents which they each claim support their particular position. However, it all ends inconclusively with the wise men still insisting that the sentence of death be carried out on Speech. Unsure what to do next, the King writes a personal letter to Justice:

“I have heeded the voice of the Yemenite you sent and have not carried out the death sentence on Speech. However, the wise men and leaders of my kingdom disagree with the Yemenite and have put forward several counter arguments. If I have found favour in your eyes, please come and guide us as to how we should act.”

Justice accepts the King’s invitation and at the opening of Act Three (fols. 7v–11v) we find it seated next to him as the court reconvenes on the morrow. What follows is a colloquium or academic seminar, with Justice in the role of professor, on the legal aspects of the arguments presented by the wise men and the Yemenite sage on the previous day.

Justice is not impressed by either side’s submissions:

¹² The detailed description of the parade – the tunic embroidered with the victim’s alleged sins, the degrading cap and the crier who leads the procession – is reminiscent of an Auto-da-fé.

¹³ In Jewish law, no blame attaches to a person who is forced against his will. This general principle is derived from the Torah ruling that no guilt attaches to innocent victims of rape (*Deuteronomy 22:25-27*).

¹⁴ *Proverbs 31:8*

“What I see here is just sophistry (פלפולים): a jumble of knowledge (בקיאות) and reasoning (סברא). But just as perceiving the light requires both illumination and clear vision...so there are two qualities that all honest judges and adjudicators (שופטי צדק ויושבי על מדין) must possess: (i) the acumen (שיקול הדעת) to make correct logical deductions and (ii) a thorough knowledge of the Law as expounded in the Mishna and Talmud.

Moving on to the matter at hand, he notes that the wise men and the Yemenite sage had both agreed that if Speech was indeed forced to utter the evils it articulates, no blame would attach to it; this is an instance of the general rule derived by logical reasoning (סברא) that an *Anuss* is blameless. But this begs the question of what constitutes compulsion such that it would excuse an otherwise forbidden act. For example, what if a person resists at first but later consents; or if a person falsely authenticates a bill of sale under the threat that, should he refuse, his house will be burnt down; and are vows taken under duress subsequently binding? To rely on reasoning alone in deciding such fraught and diverse issues, as had both the wise men and the Yemenite scholar, is too simplistic. They must be adjudicated by reference to the Law.

“But,” the wise men ask, “if the Law is what really matters in the end, why did you say that judges need the ability to make proper logical deductions too? Isn’t it superfluous?”

“Not at all”, replies Justice. “It is needed to differentiate one case from another and one law from another. For without discretion (שיקול דעת), there is neither knowledge nor understanding.”

The second point of law raised in the debate was the Yemenite’s contention that even if Speech had not claimed it was under duress, the Scriptural injunction, “Open your mouth and speak up for the dumb,” should be invoked, namely, that it is a court’s duty to speak up on behalf of those who cannot speak for themselves. The wise men ask how far judges should go in applying this principle. Should it be accorded to all litigants and in all instances? For are not all litigants, to some extent, “dumb” when it comes to pleading their cause before the court? And if so, how will the actual truth of the matter come to light if the Judges themselves become involved in the submissions? As the Talmud warns, “Be careful in your choice of words, lest they learn to lie from them.”¹⁵ Furthermore, no matter how judiciously judges apply this principle, how can they avoid being suspected of having taken a bribe from one side or the other, or even from both?

These are genuine concerns and their complexity defies a simple answer. Turning first to Heaven, Justice calls upon God’s celestial beings to watch over and guide those who are charged with administration of the Law.

“Peace, a fullness of peace, to the most renowned Rabbis and Sages, the earthly bearers of God’s mace (נושאי כלי ה')...May the multitude of God’s angels (מלכין), worshipful attendants (פלחין) and holy messengers (עיריין קדישין) protect you...and rise to your assistance...”

More down to earth, he counsels these same Rabbis and Sages, in the strongest terms, to shun the taking of any contingent payment (מלקבל תנאי) from the community in which they live. For the receipt of such conditional payments may impugn them and bring them into disrepute: they may be thought willing to accept bribes. Any remuneration they receive should be in the form of an honorarium and in a fixed amount agreed between them and the community; and it should only suffice to cover their legitimate living expenses. Above all, they must protect their independence and maintain a respectful distance from the community at all times and not be ‘yes-men’, as the King’s wise men had been.¹⁶ As the Talmud states: “If a scholar is loved by the townspeople, it is not by virtue of his pre-eminence but because he does not rebuke them for neglecting Heavenly matters” (*TB Kethubot* 105b).

¹⁵ *Mishna Avot* 1:9.

¹⁶ Justice’s reply opens with a reworking of phrases from the first chapter of the *Book of Daniel* which recount how Daniel and his companions resisted orders from the King that would have required them to transgress their dietary laws.

The six line verse postscript below the signature of Joshua di Viana on fol. 12v (Fig. 193.4), reads in translation:

I have contemplated the law of *Chametz*¹⁷ and *Matzah*¹⁸
 And the only difference between them is this:
 That in *Chametz*, a drop, even a mustard seed is sufficient,
 But from *Matzah* it must be totally absent and deficient.
 And from here there is a hint of the prohibition
 of *Chametz* in any amount.¹⁹

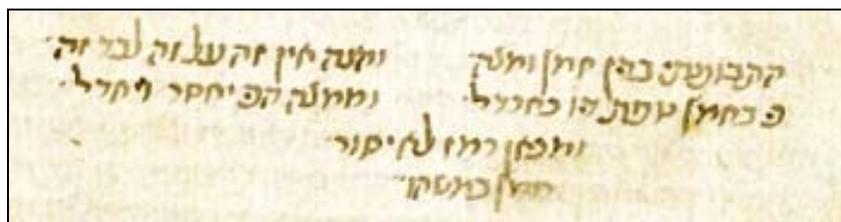


Fig.193.4: The verse postscript on fol.12v of codex 193

The prohibition on consuming *Chametz* on the Passover festival is absolute; even infinitesimal quantities are forbidden, By analogy, even the minutest contingent payment should be shunned by judges.²⁰

The Second Manuscript (fols. 12r-18v): The Khazar Correspondence: the Letters exchanged by Hasdai ibn Shaprut and the King of the Khazars.

The historical truth of the adoption of Judaism by the Khazars, an Asian people who once occupied the area of Eastern Ukraine, has been the subject of much scepticism ever since it was first reported over a thousand years ago. However, the discovery amongst the Hebrew manuscripts in the Cairo Genizah of (i) an original document written by Khazarian Jews residing in Kiev during the first half of the 10th century (the Kievan Letter²¹); (ii) a diplomatic letter from an unnamed Khazarian Jew (the Shechter Text²²) that describes their military exploits, the geography of their land and the manner of their

¹⁷ Any food product made from wheat, barley, rye, oats, spelt, or their derivatives, which has leavened (risen).

¹⁸ The unleavened bread traditionally eaten by Jews during the Passover festival, during which the consumption of *Chametz* is forbidden.

¹⁹ The principle that even a drop no larger than a mustard seed is sufficient to incur a total prohibition is found in the Talmud but in a very different context (*TB Berachot* 31a): “The daughters of Israel have undertaken to be so strict with themselves that if they see a drop of [menstrual] blood (דם) no bigger than a mustard seed, they wait seven [clean] days afterwards [before engaging in sexual intercourse].” When cited in *responsa* and other rabbinical writings, the Hebrew word דם (blood) in the original Talmud source is often replaced by the word די (ink) for reasons of propriety. For example, the די (ink) version also appears in the introduction to Judah Moscato’s 16th century commentary, *Kol Yehudah*, on Judah HaLevi’s *Kuzari* (ספר הכוזרי) in the context of the accuracy required of copyists when transcribing texts: ‘For a drop of ink out of place can change the entire meaning of a passage.’

²⁰ A manuscript at the Hebrew Union College, Cincinnati, USA, (CIN314: IMHM F.18265) contains a copy of the reply given by Justice to the wise men’s final request for guidance. It too is signed by Joshua di Viana but makes no mention of Justice or of the events and exchanges that preceded it in codex 193. The heading simply reads: “A text written and sealed with the [signet] ring of a wise and understanding man, which informs all the practitioners of religious law of the blights, blemishes and impairments of any scholar who is known to accept a payment from the community, for it is great, and his sin is onerous in the community and congregation.”

A letter in the same batch of manuscripts is addressed to one “Joseph Ora of Viana in the Kingdom of Navarre...”.

²¹ Cambridge T-S (Glass) 12.122; a.k.a the “Kievan Letter.”

²² T-S Misc. 35.38; a.k.a the “Cambridge Document.”

acceptance of Judaism and (iii) fragments of Ḥasdai ibn Shaprut's diplomatic correspondence containing references to the Khazars,²³ has finally "put to rest...the widely promulgated belief...that the already known Hebrew sources describing the Judaization of the Khazars were mere forgeries or an unbelievable romance."²⁴

This is not to say that there are no discrepancies between these Hebrew sources, the reconciling of which has provided much grist to the academic mill. Conversely, they have also been seized upon by those who have claimed that these same sources are forgeries and, furthermore, that any evidence produced to support their authenticity has also been faked.²⁵ Evidently, the notion that a people may once have freely chosen Judaism over Christianity or Islam, is a notion some find difficult to accept. But our concern here will be only with the provenance of the letters in the Christ Church codex 193.

The best known of the medieval Hebrew sources is Judah Halevi's theological treatise *Kitab al Khazari* (ספר הכוזרי) completed in 1140 and subtitled "Book of Refutation and Proof on Behalf of the Despised Religion." It was composed during the period of the Crusades, when Christianity and Islam, both of whom claimed to have superseded Judaism, were fighting each other for possession of Jerusalem, Israel's ancient capital, and the Land of Israel. The Crusaders had captured Jerusalem, slaughtered its Jewish population and made it the capital of their Kingdom; meanwhile, the remaining Jews scattered across the Moslem *Ummah* remained *dhimmis*, a conquered and powerless people.

Reports of the adoption of Judaism by the Kings and people of Khazar were current and widely believed at the time.²⁶ Credence was given to this by the reported existence of letters that had been exchanged by Ḥasdai ibn Shaprut, one of the most eminent Spanish Jews of the 10th century, and a King of the Khazars by the name of Joseph, a direct descendant of the king who had originally adopted Judaism some two or three hundred years earlier.²⁷ The existence of this Hebrew (Khazar) correspondence is cited, though not without some reservations, in two medieval Hebrew texts: (i) the legal treatise *Sefer Halittim* by the 12th century R. Judah ben Barzilai of Barcelona²⁸ and (ii) the chronicle *Sefer HaKabbalah* by Abraham ibn Daud.²⁹

Another 400 years would pass before the appearance of what would be presented as copies of the actual letters exchanged by Ḥasdai and Joseph, the Khazar king. They first appeared in a Hebrew miscellany compiled and published in Constantinople in 1577 by Isaac Akrish, under the heading קול מבושר (Kol Mevasser – A Voice Heralding Good Tidings).³⁰

²³ Golb & Pritsak, *Khazarian Hebrew Documents of the Tenth Century*, Cornell University Press, Ithaca (1982), pp. 75-95.

²⁴ Golb & Pritsak, *Op. cit.* p.xiii.

²⁵ Constantine Zuckerman, On the Date of the Khazar's Conversion to Judaism and the Chronology of the Kings of the Rus Oleg and Igor, A Study of the Anonymous Khazar Letter from the Genizah of Cairo, *Revue des Études Byzantines* 53. 1995, p. 237-270.

²⁶ There is an Arabic account of the event written by the 11th century Andalusian geographer and historian, al-Bakri: see Dunlop D.M., *The History of the Jewish Khazars*, Schocken Books, New York (1967), p.90.

²⁷ There are also a number of medieval Arabic, Karaite and Christian references to the Khazar's adoption of Judaism: see Dunlop D.M., *The History of the Jewish Khazars*, Schocken Books, New York (1967), pp.89- 115; Landau M., The Present State of the Khazar Problem, *Zion*, Vol. (January 1943), pp. 94-106 (in Hebrew).

²⁸ "We have seen...the copy of a letter which King Joseph...wrote to R. Ḥasdai. We do not know if the letter is genuine and if the Khazars are *gerim* (proselytes)...there may be falsehoods in it or people may have added to it..." Dunlop D.M., *Op. cit.* p. 132

²⁹ "You will find congregations of Israel spread abroad...as far as Daylam and the river Itil where live the Khazar peoples who became *gerim*. (proselytes) Their king Joseph sent a letter to R. Ḥasdai..." Dunlop D.M., *Op. cit.* p. 127. The full text from ibn Daud's chronicle has been added at the bottom of the last page in the Christ Church codex 193 (fol. 18v), but in a different Sefardi script from that of the letters.

For an English translation of the passages from *Sefer Halittim* and *Sefer HaKabbalah* see: Dunlop D.M., *Op. cit.* pp. 132 & 127, respectively.

³⁰ National Library of Israel, System No. 003687769; Bodleian Opp. 8° 1098.

An avid bibliophile, Akrish was born in Salonika in 1530, where his family had finally settled following the expulsion of all the Jews from Spain and its overseas possessions in 1492. Despite being lame in both legs, he led the life of a wanderer for many years, collecting books and manuscripts as he went. Arriving in Cairo, he found employment as the tutor of the grandchildren of R. David ben Zimra (Radbaz), the *Hakham Bashi* or Chief Rabbi of Egypt, spending much of his earnings on hiring scribes to copy manuscripts for him.³¹

Akrish left Cairo for Constantinople in 1553, stopping off on the way in Crete, then still a Venetian territory. It was the year of Pope Julius III's edict that all copies of the Talmud be burnt and the local authorities accordingly confiscated his books and manuscripts threatening to destroy them. Summoning up the courage to challenge the local governor, Akrish regained his collection and brought it with him to Constantinople, where he came under the patronage of the leading court Jew, Don Joseph Nasi and the wealthy widow Esther Kira.³²

Some eighty years after the publication of *Kol Mevasser*, the Christian Hebraist Johannes Buxtorf the Younger received a copy of it from a friend. Although he regarded the letters it contained with suspicion, as would many of the scholars who came after him, he decided, nevertheless, to include them in the Preface to the Latin translation of Judah Halevi's *Kitab al Khazari*, entitled *Liber Cosri*, that he published in 1660.³³

In the preface to *Kol Mevasser*, Akrish relates that despite the many stories he had heard about the existence of a sovereign Jewish nation somewhere on earth, like most of his contemporaries, he could not believe them to be true.

Throughout my life, I have heard people talk about the lost Tribes, saying that there are places where Israelite kings rule, lacking naught but the Temple Service and Prophecy...And that they wage wars and have conquered and subjugated other nations...But, like many others, I found this hard to believe...for all the stories and mariners' tales are just fabrications made up to strengthen the down-trodden and give them hope...

It all seemed too far fetched; a Jewish fantasy. Only after personally hearing accounts of the existence of autonomous Jewish kingdoms in Ethiopia and in the mountains north of India, "from the mouths of impartial non-Jews (מסיח לפי תומו)" that he met on his travels, did he begin to consider there may be some truth to the stories.

He gives four reasons for why he ultimately came to believe in the existence of these Jewish kingdoms, even down to his own times, and why he decided to publish the Khazar Correspondence. The first was a letter that an old friend, a rabbi and physician to the Turkish Governor of Egypt, had shown him. It was from the Abyssinian prince Doshdomor and had been given to his friend by the Governor on one of his routine health visits. The letter was a request for urgent military assistance from the Turkish authorities, "...for were it not for one of the officers of the Jews who helped me in the war with twelve thousand horsemen, I would myself have been in danger and might have lost all my forces."

The second involved another Abyssinian official, this time unnamed, who was passing through Egypt on his way to Constantinople and who invited every Jew he met to join him on a visit to "the

³¹ For a short biography of Akrish and an account of his literary activities see: Abraham Yaari, *Studies in Hebrew Booklore* (מחקרי ספר), Mossad Harav Kook, Jerusalem (1958), p.235ff. in Hebrew.

³² Except for a small remnant that was saved by the efforts of his wife, the entire collection he had amassed was destroyed in the great fire of Istanbul in 1569: Yaari, *Op. cit.* p. 244.

³³ Judah Ha-Levi, *Liber Cosri*, Gregg International Publishers Ltd. (1971). Apparently unaware of Hasdai's historical actuality or the existence of the manuscript in codex 193, Buxtorf dismissed the reference to the correspondence in Ibn Daud's chronicle as no more than an interpolation.

kingdom of the Jews,” assuring them that he would guide them “in peace and tranquillity, on the wings of eagles, for their border is near to mine” adding that he himself had been there many times.

Thirdly, the Governor of Ottoman Egypt and conqueror of Yemen, Sinan Pasha,³⁴ and his general staff, boasted that had their treasury not been emptied by the high cost of the otherwise successful campaign in Yemen, they would have continued on to the Jewish kingdom that lay just beyond and to its great fortified cities.³⁵

And finally, it was seeing a letter that had been sent to the Khazar king and his reply to it.

When I heard these words and saw a letter that was sent to the king of the Khazars and his reply, I decided to print them “with an iron pen and lead” (*Job 19:24*) to strengthen [the people] in order that they might truly believe that the Jews have a kingdom and dominion.

Akrish’s interest was not in the Khazars as such, he was neither an anthropologist nor an historian, but in what they and their kingdom meant for Jewish hopes and aspirations of a renewal of their ancient sovereignty. And it is in this context that the letters he published in *Kol Mevasser* should be viewed.

The existence of the handwritten copy of the letters exchanged by Ḥasdai ibn Shaprut and the King of the Khazars in the Christ Church codex 193, appears to have gone unnoticed prior to the publication of Kitchin’s catalogue in 1863. Buxtorf’s 1660 edition of *Kol Mevasser* had become the generally accepted version of the correspondence and scholarly interest was concentrated on the historical truth or otherwise of the Khazars and their purported adoption of Judaism, not on the letters themselves.

Written in a Sefardi semi-cursive script, the salient fact regarding the handwritten Christ Church text is that it is to all intents identical to that of *Kol Mevasser*, a congruence that cannot be just a coincidence.³⁶ Both are 16th century documents and allowing for the few scribal errors in the manuscript, most of which are corrected in the marginalia, either could be the source of the other.³⁷ Alternatively, they may both be Akrish’s own creations.³⁸

Ḥasdai’s letter to the Khazar king is prefaced in both versions by a verse colophon, the initial letters of whose first twenty five lines form an acrostic of his full Hebrew patronymic: אַנִּי חֲסֵדָאִי בַר יִצְחָק בַּר עֲזָרָא שְׁפִירוּט (I am Ḥasdai bar Issac bar Ezra Shaprut); the relevant letters are indicated in the handwritten copy by superscript dots.³⁹ In the letter itself, which is couched in a diplomatic style

³⁴ He becoming known as Fātih-i Yemen (Victor of Yemen) and was later appointed vizir of the Sultan Murad III.

³⁵ This “Jewish kingdom” may have been the Falasha people who lived in the area around Lake Tana, in northern Ethiopia. Calling themselves “House of Israel” (*Beta Israel*). They practice a form of biblical Judaism and claim descent from Menilek I, traditionally the son of the Queen of Sheba and King Solomon. In recent years the vast majority have moved to and been settled in the State of Israel.

³⁶ The corrections in the three marginalia in the Christ Church manuscript are incorporated into the text of Akrish’s printed version.

³⁷ Dunlop, who personally examined the Christ Church manuscript, remarks that “this manuscript presents a remarkably close similarity to the printed text” (*Op. cit.* p.130). In a letter dated August 1st 1942, now attached to an inside cover of codex 193, Dunlop thanks the Christ Church Librarian, Mr. Hiscock, for making the manuscript available to him.

³⁸ The only significant difference between them is that the passage from ibn Daud’s chronicle that refers to the exchange of letters has been added *verbatim* on the last page of the Christ Church codex (fol. 18v) immediately after the King’s reply, in a different Sefardi script from that of the body of the text, but does not appear in the printed version in *Kol Mevasser*. It would appear to be a later addition.

³⁹ It has been conjectured that the first letters of the last ten lines of the preface are an acrostic of the name of his secretary, Menahem ben Saruk. However, the first letters of four of these lines in the sixteenth century *Kol Mevasser*/Christ Church text do not fit the name. By contrast, Saruk’s acronym can be discerned in the last lines of a single page manuscript in the Second Firkowitsch Collection, EVR II A 2661, Russian National Library, St. Petersburg (IMHM Film No. F 67694), which purports to contain the original version of the preface. The authenticity of this manuscript is, however, not universally accepted; four or five lines appear to have been judiciously altered to produce Saruk’s acronym. The manuscript is almost certainly a nineteenth century fabrication. See: Hillel Hankin, *Yehuda Halevi*, Nextbook Schocken, New York (2010). p.318ff.

(fols.12r-15v), Hasdai inquires about the kingdom's geography and the people's way of life and religious practices. The King's reply is to the point and answers almost all of Hasdai's questions.⁴⁰

Akrish's *Kol Mevasser* and the Christ Church codex contain the only known version of Hasdai's letter; it has no provenance other than Akrish's description of how it and the King's reply came into his hands. There exists, however, a slightly longer rendering of the King's reply⁴¹ that was first identified some three hundred years later by the Russian-Jewish historian and orientalist, Abraham Harkavy (1835-1919), among the manuscripts in the Second Firkowitsch Collection.⁴² It is not a self-contained document but the last of the six texts in a nondescript manuscript (pages 45 – 52), the first five of which are short midrashic homilies. The six texts are all in the same 'eastern' Hebrew script, presumably the work of the same copyist, and follow on from one another in an unbroken sequence. The King's reply starts on the fourth line of p.45, following on immediately from the last line of the fifth text. It has nothing in common with the five midrashic texts and its inclusion in the same manuscript is anomalous. In 1882, some twenty years after the manuscript first came to light, it was dated to the 13th century, an estimate that is perhaps now due for reassessment.⁴³

The two versions of the King's reply tell basically the same story but each does so in a different style of Hebrew: classical in *Kol Mevasser* and a more basic mode in the Firkowitsch manuscript.⁴⁴ This difference could, on the face of it, point to two distinct versions and sources but Harkavy insisted that the longer version he had found in the Firkowitsch collection was the principal and true one:

If we compare the [longer] version of the letter in our manuscript with that published by Isaac Akrish in *Kol Mevasser*, every intelligent person will clearly see, that our version is the principal and true one and that Akrish's was shortened and changed by copyists.⁴⁵

Harkavy claimed that the version of the King's letter in *Kol Mevasser* "bears unmistakable traces of having been worked over and altered from the Long Version."⁴⁶ By whom, where, when and for what purpose, he does not say. His principal concern seems to be to establish the primacy of the longer Firkowitsch manuscript over that of the *Kol Mevasser*/Christ Church version, as well as that of his own findings. But what of Hasdai's initial letter to the King without which the correspondence is incomplete, which is found only in the *Kol Mevasser*/Christ Church texts and of which there is no trace in any Firkowitsch manuscript?⁴⁷

⁴⁰ For a translation of the King's reply see the article by Brian Deutsch: www.chch.ox.ac.uk/library-and-archives/hebrew-manuscripts.

⁴¹ Approximately 1850 words as compared to the ~1550 in the *Kol Mevasser*/Christ Church version.

⁴² *Meassef Niddahim* No. 8, p.117 (תש"ל, ירושלים, "קדם", הוצאת "קדם"); Russian National Library, St. Petersburg, EVR II A 157 (fols. 45 to 52); IMHM Film No. F 10280. There is a transcript of the text in the same issue of *Meassef Niddahim*.

⁴³ The manuscript came to light following Firkowitsch's second tour of the Middle East in search of ancient manuscripts in 1863 and was dated to the 13th century by D. Chwolson in 1882.

⁴⁴ In the *Kol Mevasser*/Christ Church version the past tense is expressed 37 times by the classical Hebrew construction of the *Waw* conversive with the Imperfect and 50 times by the Perfect and simple *Waw*. By contrast, the classical construction occurs just once, in the Firkowitsch version. the remaining 95 instances all being simple Perfect. The classical construction also predominates in the Schechter (Cambridge) Text: Dunlop, *Op. cit.* pp.151-153, 163.

⁴⁵ *Meassef Niddahim* (מאסף נדחים) No. 10, p.147. Harkavy had received a copy of the Christ Church manuscript from Alfred Neubauer and made much of the minor differences between its text and that of *Kol Mevasser* in his arguments in favour of the Firkowitsch manuscript. His insistence on the primacy of the latter manuscript is ironic as he himself would later refute many of Firkowitsch's theories, question the authenticity of many of his other discoveries and even accuse him of having forged some of them.

In a recent (1999) palaeographic survey of the Firkowitsch manuscript, several previously unpublished erasures in the text whose rationale is difficult to comprehend, have come to light: Artem Fedorchuk, New Findings Relating to Hebrew Epigraphic, *The World of the Khazars – New Perspectives*, ed. Peter B. Golden, Brill N.V., Leiden (2007), p.121-122.

⁴⁶ It has also been argued, that Hasdai's letter is written in yet a third Hebrew style which complicates matters still further: Dunlop *Op. cit.* p.152.

⁴⁷ Including his recently (2004) examined Personal Archive: Fedorchuk, *ibid.*

A second significant difference between the versions of the King's reply in *Kol Mevasser* and Firkowitsch's manuscript is how they end. Taking his cue from the eschatological vision at the end of the *Book of Daniel*, Ḥasdai had asked the King whether his people have any tradition about "when these portents will cease...and when our Exile...and powerlessness will come to an end."⁴⁸ The King's answer, at the very end of his letter, reads as follows in the *Kol Mevasser*/Christ Church version:

And as for us, our eyes are to the Lord our God, and to the sages of Israel, and to the *Yeshivot* (Rabbinical Seminaries) in Jerusalem and Babylon and we are a long way from Zion, though we have heard that they erred in most of the answers [to this question] and we know nothing...But the destruction of His Sanctuary, the cessation of its Service and the troubles we endure, cannot be a small matter to Him...and we have only the prophecies of Daniel...

And God, the God of Israel, will surely hasten the Redemption and gather up our scattered exiles in our lifetime...and in the lifetime of the whole House of Israel...

This is followed by some flattering remarks about the "brilliance of Ḥasdai's wisdom" and the hope that they may some day meet when "you will be a father to me and I a son to you...and by your word shall I come and go and with your rightful advice. Shalom."

This entire passage is, however, missing from the Firkowitsch manuscript which ends in mid-sentence on the last line of p.52 with the words "As for us, our eyes are to..." (...אנחנו עינינו אל...); there is no p.53. The absence of this passage from the Firkowitsch manuscript may be just happenstance, the last page of a codex lost over the centuries. But there may be a more sinister explanation. Its tone may have been too 'Rabbinical' for the Karaite Firkowitsch who had argued that the form of Judaism the Khazars has adopted was Karaism and not rabbinical Judaism.⁴⁹

The Khazar Correspondence is the second of the three 'Good Tidings' texts in Akrish's miscellany (Fig. 193.5). The first is entitled the *מעשה בית דוד בימי מלכות* (*The Bustanai Affair*) or *מעשה בית דוד בימי מלכות פרס* (*The Story of the House of David in the Days of the Persian Kingdom*). Bustanai (בוסתנאי), who was the first Exilarch (ראש גלות – Head of the Exile or Captivity)⁵⁰ to serve under Arab rule following the Beduin-Muslim defeat of the Persians in the 7th century, is the subject of several often contradictory Hebrew and Arabic legends, preserved in both medieval rabbinic texts and the Cairo Genizah.⁵¹ In his introduction to the version he published, Akrish writes:

Whilst searching for books, I found a written account of the dreadful Bustanai affair; one of the threats of extinction that we [the Jews] have experienced by reason of our iniquities...and his [Bustanai's] salvation was like that [of Queen Esther] in the Book of Esther. And I was surprised that it does not appear in the book *Shevet Yehudah* (Sceptre of Judah)⁵² and perhaps

Dunlop *Op. cit.* p.152.

⁴⁸ *Daniel* 12 :6.

⁴⁹ Adele Berlin, *The Oxford Dictionary of the Jewish Religion*, Oxford University Press (2011), p.272.

⁵⁰ Hereditary heads of the Jewish community in Babylon, who traditionally traced their descent from the royal Davidic line, specifically from the penultimate king of Judah, Jehioachin, who was exiled to Babylon by Nebuhadnezzar in 597 BCE (*2Kings* 12:24ff.). Claims of Davidic descent were still being made by eminent Rabbis up to modern times. For example, the family of R. Solomon Hirschell (1762-1842), the first generally recognised Chief Rabbi of England, boasted of a long genealogy of learned rabbis and traced ten generations back to R. Myer of Padua who, in turn, speaks in the preface to one of his works of R. Hai Gaon being his progenitor. "This R. Hai was the last of the primates of the dispersed Israelites, who died in 1038; and all the primates and princes of the Captivity were deemed the genuine produce of King David's stock." See: "A Memoir of the Reverend Solomon Hirschell: Chief Rabbi of the German Jews, London," published in the *European Magazine and London Review* (March 1811).

⁵¹ Moshe Gil, *The Babylonian Encounter and the Exilarchic House in the Light of Cairo Genizah Documents and Parallel Arab Sources*, *Judaeo Arabic Studies*, Ed. Norman Golb, Routledge (1997), p.135 ff.

⁵² The author is Solomon ibn Verga (c.1460-1554), a Marrano from Lisbon, where he witnessed the massacre in 1506, and who later escaped to Turkey. The book contains accounts of 64 persecutions of Jews in different countries and epochs.

God left it for me to print it...to make known that though in every generation they rise up against us, He saves us from their clutches...⁵³

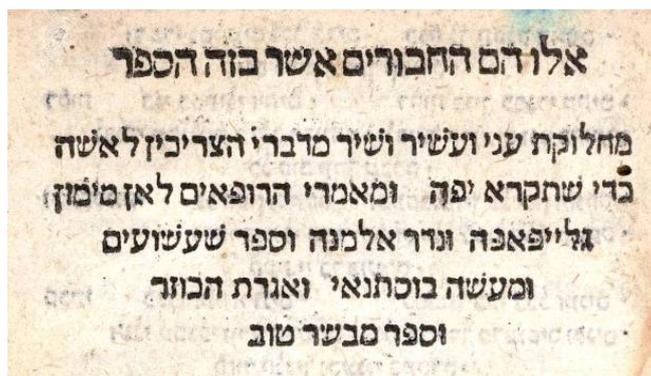


Fig. 193.5: The heading on the first page of Akrish's miscellany: "These are the Compositions that are in this Book." The works listed in the fourth line are the "Bustanai Affair" and the "Khazar Correspondence;" that in the fifth line is "The Book of Good Tidings."

The version of the Bustanai legend published by Akrish has since become the best-known and most commonly cited.⁵⁴ Its salient points are as follows:

Inimical to the Jews, the last Persian king had determined to extinguish the royal house of David. The only person to escape the decree was a young woman whose husband had been killed shortly after their marriage and who was now about to give birth.

The king then has dream in which he finds himself in a most beautiful garden but one that is not his own. Consumed with envy, he sets about uprooting its plants and is about to dig up the last of them when an elderly man of "ruddy and fair countenance" (1*Samuel* 17:42) appears and strikes him a blow that almost kills him: "Are you not satisfied with having destroyed the beautiful trees of my garden, that you now try to uproot even the very last sapling? Truly, you deserve that your memory perish from the earth." Taken aback, he king relents and leaves the last plant in place promising to tend it and allow the garden to grow back.

The only person who succeeds in interpreting the dream is an old man, the father of the young woman. "The garden represents the house of David, all of whose descendants you have killed. The old man you saw in the dream was King David, to whom you promised that you would ensure that his line would survive. Now, the child my widowed daughter is carrying is the only one who can carry on the Davidic line." The king has the young woman brought to the palace where she gives birth to a boy, who is given the name "Bustanai," (from the Persian word *bustan*, meaning garden).

The lad grows up in the Royal palace and the king takes delight in him. One day when he was standing at attention before the king, a wasp stung the boy on his temple. Blood trickled down the face, yet he made no move. The king was astonished by this self control and the boy explained that in the house of David, from which he comes, they are taught neither to laugh nor to lift up a hand when standing before a king, but to remain motionless out of respect (*TB Sanhedrin* 93a). Moved by this display of respect, the king showers favours upon him and names him Exilarch, with the power to appoint judges over the Jews and nominate the heads of the three Talmud academies. To mark this in perpetuity, Bustanai introduced a wasp into the escutcheon of the exilarchate.

Bustanai was the Exilarch when Persia fell to the Arabians. When Ali ibn Abi Talib⁵⁵ came to Babylon he went out to meet him with a splendid retinue. Upon learning that Bustanai was thirty five years of age and still unmarried, Ali gave him Dara, the daughter of the defeated Persian king as his wife. She was, however, a pagan and as such Bustanai could not marry her. Ali gave

⁵³ Bodleian Opp. 8° 1098, pp. 59-63.

⁵⁴ See: *Seder HaDorot* (The Book of Generations), by Jehiel Heilprin (1660–1746); completed 1725, published 1768 and in several subsequent editions (in Hebrew).

⁵⁵ Regarded by Sunnis as the fourth and last of the Rashidun (rightly guided) Caliphs, he is regarded by Shias as the first Imam after Muhammad. In other versions it is the Caliph Omar (583-644) whom Bustanai welcomed.

permission, however, for her to become a Jewess according to Jewish law following which the couple were married. She bore him many children, but their legitimacy was assailed after their father's death by his other sons [he had taken other wives too] saying that they were the children of a slave-girl.⁵⁶

In a postscript to the story, Akrish writes:

I found [the texts] written on a parchment in Damascus with a *Messorah* (מסרה – colophon) that [stated] they were written in the year 3887 A.M. [should be 4887, i.e., 1127 C.E.] and that the book was written by so-and-so who bequeathed it to so-and-so, and so-and-so to so-and-so up to ten generations.

There are nine or more extant fragmentary medieval sources of the Bustanai story and it has been suggested that what Akrish found in Damascus was a copy of the Arabic version composed by Nathan ben Abraham,⁵⁷ which he subsequently adapted, inserting elements from the gaonic *responsum* and adding elements of his own as he saw fit. This adapted version is what he then published in his miscellany of 'Good Tidings' texts.⁵⁸

The same could well be true of the "the letter sent to the Khazar king and his reply to it" that Akrish saw in Cairo. It too was something he came across on his travels and the Christ Church manuscript in codex 193 is a draft of the version of the Khazar Correspondence that he prepared from it and subsequently published under the heading *Kol Mevasser*.

The third 'Good Tidings' text is entitled גם זה מבשר (This too is a Good Tiding) and is presented as being a report written by one Moshe HaCohen Ashkenazi from the city of Candia (Heraklion) in Crete, of what he had heard in 1483 C.E. from an Arab named Ali, a former slave, who claimed to have first hand knowledge of the existence of a wondrous Jewish nation across the Sambatyon river, close by Prester John's kingdom. Anticipating his readers probable disbelief, Akrish adds that despite the said Arab's "astonishing words" (דברי תימה), seeing that they tally with those in Prester John's letter to the Pope,⁵⁹ he decided nevertheless to print them as, above all, they may "give courage to the oppressed."

The Christ Church manuscript and Akrish's *Kol Mevasser* are no more forgeries than are the first quartos of Shakespeare's historical plays. The protagonists in both were real people. Shakespeare's kings did once rule and Ḥasdai ibn Shaprut and Joseph, the King of the Khazars, did once live and letters were actually exchanged, though perhaps not worded exactly as they appear in any of the extant texts. But just as we would not teach English history from Shakespeare's historical plays which were written just to entertain, we should not seek to learn Jewish or world history from folktales, Akrish's or anyone else's, whose purpose was not to inform but only to console and give hope.

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⁵⁶ The objection was that Bustanai had cohabited with her without marrying her and, being a prisoner of war, she was a slave and had been presented to Bustanai as such. Against this it was argued that Bustanai must surely have first freed her and then married her. Opinion was divided and it was finally decided that the sons from his other wives should grant letters of manumission to Dara and her son in order to endorse their emancipation. Nevertheless, the legitimacy of her descendants was still in dispute even 300 years later.

⁵⁷ Nathan Gaon, *av bet din* (President of the Rabbinical Court) a.k.a Nathan Av.

⁵⁸ Moshe Gil, *Op.cit.* p.135 ff.

⁵⁹ A forged *Letter of Prester John* containing a wondrous description of his Christian kingdom, started spreading throughout Europe in the 12th century. Such was its impact, that Pope Alexander III sent a reply back to him.