

Fragment of the Month: May 2011

## **'Only death remains for him', T-S 10J7.4**

By Esther-Miriam Wagner

Torture was an inescapable fact of life in medieval jails, and the Genizah has preserved an extraordinary letter, written in the 13th century, in which a torture victim gives a detailed account of what was done to him while he was imprisoned. The reason for the man's arrest is unknown, but could have been something as unexceptional as failing to pay the poll tax, though, in this case, since he was arrested as part of a group, the cause may well have been political. Whatever the reason, he was kept in jail for about two weeks, during which he was subjected to various horrendous tortures.

The letter, written a month after the man's arrest, was sent to the house of Elijah the judge, a prominent community official at the beginning of the 13th c., who is asked to read it to the writer's sister, Umm Abū 'Alā. The sign shaped like an inverted question mark at the top of the page is a mark of continuation (see Goitein & Friedman 2008, 506–7), so it is likely that this page was attached to another letter or document. Given that he's addressing his sister, the writer's description of the torture is unusually graphic, and the entire account resembles a meticulous legal record of what happened, rather than a letter. It is certainly not what one would expect to write home to reassure one's loved ones, as the details are gory and explicit.

The torture ranges from being hung up ('we hung there until our strength failed', ll. 9–10), dragged through the streets, burned, having spikes driven under the fingernails, being put in a press

(‘they fastened the press to my feet, and they did not stop pressing me for half an hour until the bone started to show’, ll. verso 9-10), an account of what seems to be an ancient form of ‘waterboarding’ (one of the CIA’s now infamous ‘enhanced interrogation techniques’), and slashing at the legs and feet.

After the group of men are first arrested, they are publicly hung up and tortured at the Diwan. Thereafter, they were taken to the fortress where attempts were made to force a confession out of them. The writer goes into great detail of who was being tortured and what methods were used, ‘They punished us the night of the Sabbath by bringing a metal spike to push it between our nails and our flesh, and to pierce us’ (l. 7). ‘They threw Abū Sa‘d down and set the presses to bear on his ankles and his legs. [The torturer] slashed his legs from morning until evening while we were forced to confess’ (ll.14–15). The writer occasionally uses present tense forms to depict the situation with greater immediacy: ‘they light a fire on our heads and take it (away again). Screaming is all we can do’ (l. 8).

Adding to the writer’s suffering is the fact that he is forced to spend the Sabbath in jail, ‘getting dirty in the soil and dirt of tar and scarabs’. Goitein (1971, 373) writes that in ‘pre-1950 Yemen ... Jews were let out of jail altogether on Saturday if someone stood security for them’. Having to spend the Sabbath in jail seems to have added harshly to his punishment.

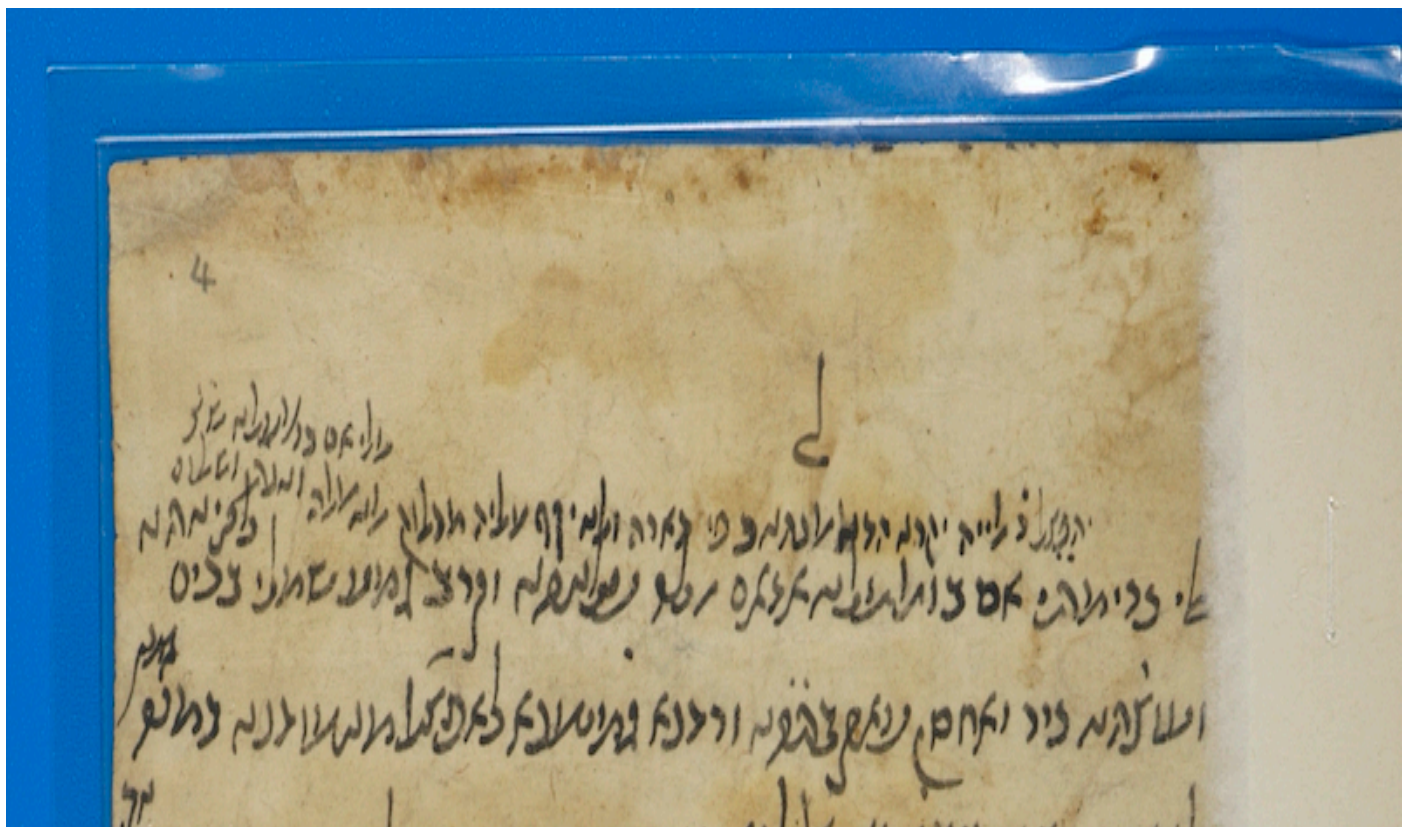
The group are then granted a respite from torture for a few days (‘we went out without punishment after we had almost died of fear’, l. 22). After failing to pay a certain sum to the gaoler, however, they are subjected to more torture. Here it is very interesting to see that the writer goes to great pains to describe which of the torturers did exactly what in each situation:

*He bound my legs, another cut my foot holding rakes, another was engaged in slashing at my leg, another was on my back, and another put a piece of wood under my shoulders, and held my hair to tilt my head so as to*

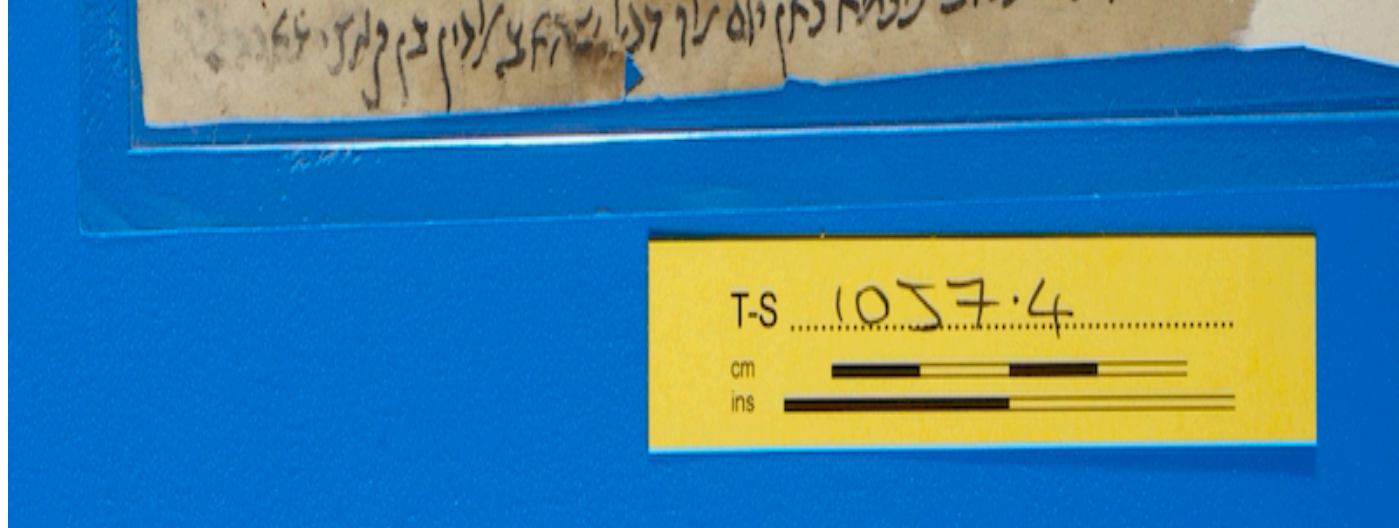
*fill my nose with water and salt, another had a milk jug in his hand to pour it into me, while the one on my back ... beat my face with both his hands.*  
(ll. verso 5–9)

*They brought Manṣūr and did the same with him as they had done with me. They then transferred the press from my legs to his leg and bound it on him in the same way. Then they brought forward Abū l-Ḥasan, and went back to grab me and force me to drink. (ll. verso 11–12)*

The torture is apparently so severe that the life of the prisoners is in danger. Muslim jurists have argued that prisoners' lives, particularly those imprisoned for debt, should not be put at risk by their imprisonment (Schneider 1995, 168), and Goitein (1971, 373) mentions that 'in some places at least the authorities in charge did not tolerate excessive cruelty'. This seems to be behind the prisoners' eventual release as described in this letter, since after a particularly harsh session of torture, during which the writer implored the torturers: 'you are killing him because he has not had food or drink for two days and only death remains for him' (ll. verso 13–14), the authorities are contacted, guarantees are presented by the Jewish community, and the group is freed.







## Recto of T-S 10J7.4, a letter graphically describing imprisonment and torture

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### Bibliography

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