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ARTÍCULOS

If she is a woman, she will be Christian. Religious affiliation in some mixed marriages in Islamic societies

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ENG **Abstract.** This article reviews some reports indicating that in some Islamic societies and in cases of mixed marriages (Muslim father and non-Muslim mother) daughters born of such marriages were allowed to follow the mother's religion. This was despite the fact that Islamic law stipulated that all children were Muslim. These reports suggest that some of the women who participated in the movement of the Cordovan 'voluntary martyrs' may have come from a similar background.
Keywords: Mixed marriages. Islamic world. Religious heritage. Cordovan voluntary martyrs.

ES Si es mujer, será cristiana. Afiliación religiosa en algunos matrimonios mixtos en las sociedades islámicas

Resumen. En este texto se pasa revista a una serie de noticias que indican que en algunas sociedades islámicas y en casos de matrimonios mixtos (padre musulmán y madre no musulmana) se permitía que las hijas nacidas de dichos matrimonios siguiesen la religión de la madre. Ello a pesar de que el derecho islámico estipulaba que todos los hijos eran musulmanes. Esas noticias permiten pensar que algunas de las mujeres que participaron en el movimiento de los 'mártires voluntarios' cordobeses pudieron proceder de un contexto parecido.
Palabras clave: Matrimonios mixtos. Mundo islámico. Herencia religiosa. Mártires voluntarios cordobeses.

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In the tenth century, Ibn Ḥawqal, a traveler from the Islamic East, visited Sicily, specifically in the year 362/973[1]. Among the curious sights he witnessed – generally speaking, he had more to criticize than to praise – he recounts this peculiarity of the Sicilians: most of the inhabitants of the fortresses and rural towns thought that Muslims could marry Christian women and that, while the male offspring of these mixed marriages were to be brought up in the religion of their fathers, girls could be raised in the Christian faith of their mothers[2]. Ibn Ḥawqal refers to those who follow this custom as *al-musha'midhūn*, an obscure term for which various interpretations have been proposed, the most convincing being that of Giuseppe Mandalà, who has tied it to a Semitic root related to 'apostasy'[3].

For Ibn Ḥawqal, this custom serves as further proof of the misguided – and most of all ignorant – religiosity prevalent among the Sicilians, about whom his accusations are far-reaching: they do not perform their prayers and ablutions, or the legally stipulated alms, and fail to perform the pilgrimage to Mecca (*hajj*), among other deviant or innovative practices. Ibn Ḥawqal's description of those nominally in charge of guarding against such deviations from the norm (schoolteachers, religious scholars or *'ulamā'*, judges) likewise adopts

1 This research evolved in the framework of the Center for Advanced Study "RomanIslam – Center for Comparative Empire and Transcultural Studies", funded by the German Research Foundation (Deutsche Forschungsgemeinschaft, DFG), at Universität Hamburg.

2 Ibn Hauqal, *Configuration de la terre (kitab surat al-ard)*, French translation by J. H. Kramers and G. Wiet (2 vols., Beirut/Paris, 1964), I, 128. Arabic text: Ibn Ḥawqal, *Kitāb ṣūrat al-arḍ*, ed. M. J. de Goeje (Leiden, 1873), 123; ed. J. H. Kramers (Leiden, 1938-1939), 129.

3 Giuseppe Mandalà, "Tra minoranze e periferie. Prolegomeni a un'indagine sui cristiani arabizzati di Sicilia," in Marco Di Branco and Kordula Wolf, *"Guerra santa" e conquiste islamiche nel Mediterraneo (VII-XI secolo)* (Viella, 2014), 95-124, 107-113; in his note 49, he refers to prior studies of this passage by Ibn Ḥawqal. Theresa Jäckh, "973: Ibn Ḥawqal on Christian-Muslim Marriages in Sicily," *Transmediterranean History* 2/1 (2020) has added to Mandalà's findings by pointing that the term *al-musha'midhūn* may have been taken from Arabic-speaking Jews who used it to name those Jews whose religious practices and beliefs were considered to be corrupt.

a negative tone. Although he does not explicitly say so, one can infer that, in his view, the Sicilians have fallen into such reprehensible religious practices because those tasked with teaching them to be good Muslims are themselves too ignorant to properly fulfill their mission.

This text by Ibn Ḥawqal is well known, as is the fact that in Islamic law the offspring of a licit mixed marriage (i.e., Muslim father and Jewish or Christian mother; Muslim women cannot marry non-Muslim men) can only be raised Muslim, regardless of their sex.

What is less known is that practices similar to this one documented in Sicily have also existed in other places and periods throughout the history of the Islamic world. For example, around the same time as Ibn Ḥawqal's account, Ibn al-Nadīm (d. 385/995), a bookseller from Baghdad and the author of an 'index' of the books in circulation during his time, included a comment mentioning that, among the pagans of the city of Ḥarrān (the Sabaeans), boys become Muslims while girls maintain the local religion[4]. Although he does not mention mixed marriages, it can be surmised that this is the context to which he is referring.

That the practice attested in Sicily was not, in fact, limited to Sicily can also be gleaned from a query received by al-Khallāl (d. 311/923), a Hanbali jurist from Baghdad. The situation brought before him was that certain non-Muslims had the custom of giving their daughters in marriage to Muslim men, but on the condition that while the male offspring of these marriages would be Muslim and belong to their Muslim fathers, the female offspring would follow the religion of their mothers, whether they were Jewish, Christian or Zoroastrian. Unfortunately, the query does not specify the place or community where this practice took place. Regarding this query, the famous traditionist Ibn Ḥanbal (d. 241/855) expressed his unwavering opinion that all of these children were to be Muslim[5].

In Egypt, Coptic men were accused of converting to Islam only after having ensured that the rest of their families – or at least the women – would remain Christian. This practice was, at least in theory, licit. However, it enabled close contact to exist between Muslims and their non-Muslim relatives within mixed marriages. For this reason, some jurists were wary of allowing a convert's former religion to persist within their extended family, as it posed a possible path for the individual to maintain loyalties and affinities linked to his prior faith. This scenario came to an end in 1354 CE, when the Mamluks issued an edict declaring that if a Coptic man converted to Islam, his family had to convert with him[6]. The edict indicates growing pressure for a man's conversion to Islam to necessarily entail the conversion of the female members of his family as well.

Various studies on the Andalusi context have already taken up issues surrounding the problem of the religious affiliation of children from mixed marriages[7]. However, none of them points to a Sicilian-type practice having existed in the Muslim-ruled areas of the Iberian Peninsula[8]. However, the biographies of some of the women who took part in the 'voluntary martyrs' movement in Cordoba (235/850-245/859) suggest that similar contexts may indeed have existed there[9]. I first encountered them while working on the issue of those among the 'voluntary martyrs' who were accused of blasphemy and apostasy because, in the eyes of the Islamic legal system, they were technically Muslims although they considered themselves Christians. One of them was Flora, born in Cordoba to a Muslim father and a Christian mother; after her father died when she was just a girl, her mother brought her up as a Christian. One of her brothers kept watch over her to make sure she behaved as a Muslim, but she wished to be a Christian and fled with her sister Baldegotona, also a

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4 Ibn al-Nadīm, *The Fihrist of Ibn al-Nadīm. A tenth-century survey of Muslim culture*, ed. and translated Bayard Dodge (New York-London, 1970), 753.

5 Al-Khallāl al-Ḥanbalī, *Ahl al-milal wa-l-ridda wa-l-zanādiqa wa-tārik al-ṣalāt wa-l-farā'iḍ min Kitāb al-Jāmi'*, ed. Ibrāhīm b. Ḥamad b. Sulṭān (Riyadh, 1996), 92, no. 64. I am grateful to Antonia Bosanquet for this reference. This text is mentioned by Yohanan Friedmann, *Tolerance and coercion in Islam. Interfaith Relations in the Muslim Tradition* (Cambridge, 2003), 112.

6 I am grateful to Michael Cook for turning my attention to the Egyptian context, which he deals with in his forthcoming book on the history of the Islamic world. One of the references he discusses is the pioneering study by Moshe Perlmann, "Notes on Anti-Christian Propaganda in the Mamlūk Empire," *Bulletin of the School of Oriental and African Studies* X (1942): 843-61, and more specifically 858 and 855.

7 Ana Fernández Félix, "Children on the Frontiers of Islam," in Mercedes García-Arenal (ed.), *Conversions islamiques. Identités religieuses en Islam méditerranéen / Islamic conversions. Religious identities in Mediterranean Islam* (Paris, 2002), 61-72; Ragnhild Johnsrud Zorgati, *Pluralism in the Middle Ages: hybrid identities, conversion, and mixed marriages in medieval Iberia* (Routledge, 2012); María de la Paz Estévez, "Las mujeres mozárabes: identidades híbridas y campo de acción del colectivo femenino entre al-Andalus y la Cristiandad," *Estudios de Historia de España* XV (2013), 53-74 (I owe this reference to Javier Albarrán); Yonatan Glazer-Eytan and Mercedes García-Arenal (eds.), *Mixed Marriage, Conversion, and the Family: Norms and Realities in Pre-Modern Iberia and the Wider Mediterranean*, Special Issue *Mediterranean Historical Review* 35 (2020).

8 The legal queries collected in al-Wansharīsī (d. 914/1508), *al-Mi'yār al-mu'rib wa-l-jāmi' al-mughrib 'an fatāwī ahl Ifrīqiya wa-l-Andalus wa-l-Maghrib*, 13 vols. (Rabat, 1401/1981), II, 347-8, discussing doubts about the religious affiliation of children born to mixed marriages, have to do with questions regarding the age of the children when the father converted to Islam and their place of residence. In other words, they match up with the texts analyzed by Fernández Félix (see note above), without mentioning a practice like the one described in Sicily.
Daniel König, in his "Caught Between Cultures? Bicultural Personalities as Cross-Cultural Transmitters in the Late Antique and Medieval Mediterranean." In R. Abdellatif, Y. Benhima, D. König et E. Ruchaud (eds.), *Acteurs des transferts culturels en Méditerranée médiévale* (Munich, 2012), 56-72, does mention both the Sicilian and the Cordoban cases, but as opposite experiences (he says: "In the society of ninth-century Córdoba there seems to have been no room for compromise in matters of religion, as there was in the case of *al-musha'midhūn* from tenth-century Sicily": 67).

9 In his contribution "Mitografía hagiomartirial: de nuevo sobre los supuestos mártires cordobeses del siglo IX" (Hagiomartyr Mythography: Revisiting the Alleged Cordoban Martyrs of the 9th Century), included in *De muerte violenta: política, religión y violencia en Al-Andalus*, edited by Maribel Fierro (Madrid, 2004), 415-50, Juan Pedro Monferrer Sala suggests that the accounts of the Cordoban martyrs may have been an invention by Eulogio. Without delving into the discussion of this proposal, if it were true, it would not invalidate the argument presented here: if these cases, assuming they were invented, were to be credible, they would have had to reflect realities familiar to the audience.

Christian, to hide out in the home of some of their coreligionists. Her brother, however, was unflagging in his search for them, and so, afraid of bringing harm upon her hosts, Flora went to meet him and openly confess her Christian faith to him. After failing to dissuade her, the brother took her to the judge and formally accused her of rejecting the Prophet. The judge ordered her to be whipped and then handed her over to her brother to cure her and instruct her in the tenets of Islam, with the order to bring her back to him if her attitude persisted. Flora managed to escape from the captivity imposed upon her by her brother, and sought refuge far from Cordoba. However, after a while she returned to the city, eager to seek martyrdom. While visiting the church of Saint Acisclus, she met a young woman named Maria who also wished to die a martyr's death. Together they went before the judge, where Flora declared, "I protest that my Lord Jesus Christ is the true God, and I declare that the master of your law is a false prophet, an adulterer, a sorcerer and an evil-doer." After being thrown in prison, Flora was once again given the opportunity to recant, which she refused. She was beheaded alongside Maria in the year 237/851. Another case is that of Nunilo and Alodia. Born to a mixed marriage, their mother brought them up as Christians. After the death of their father, their mother married another Muslim man, who forbid them from observing their faith. They then left their mother's house and took refuge in the home of a maternal aunt. However, they were accused before the judge of their hometown, who tried unsuccessfully to convince them to recant. He handed them over to a group of women tasked with instructing them in the Islamic faith, but still they refused to give up Christianity and were ultimately beheaded in 237/851[10]. It may have been this sort of cases that led many jurists from the Maliki school, the predominant *madhhab* in al-Andalus, to discourage interfaith marriages altogether[11].

The cases we have seen vary, and much of the information at our disposal lacks certain key details[12]. However, what is clear is that they reflect a reality in which there was lax control over the religious affiliation of girls born to mixed marriages (the only ones allowed under Muslim rule: between a Muslim father and non-Muslim mother), giving rise to situations that deviated from the dictates of Islamic law[13]. These cases also reflect that, whereas up to the period of the 'voluntary martyrs' situations of this sort had gone unpunished, there was growing pressure on such women to follow the Islamic legal code and live as observant Muslims. Failure to do so was considered apostasy (recall the term used for similar cases in Sicily). This shift actually coincides with a period that saw a considerable increase in the number of specialists in religious knowledge, including jurists (*fuqahā'*), who were in charge of ensuring that the community adhered to Islamic legal norms[14].

If the interpretation I am proposing is correct, this would represent one of the key moments in the Islamization of al-Andalus, putting an end to a practice that had been tolerated in the society born directly out of the Islamic conquest, wherein Muslims held political power but had to find different ways of accommodating a Christian-majority population. During that early period, we find solutions that were deemed acceptable even if they did not exactly match up with the norms of an Islamic legal code that was, moreover, still in its formative phase. It is a moment when a new society was emerging, one in which more clearly delimited boundaries were being drawn between the different religious communities[15]. The number of Muslims was growing in parallel to the consolidation of the world of the *'ulamā'*, who were endowed with religious and legal authority, and whose mission was for the society to fully adopt the set of norms that they regarded as properly Islamic. As such, it was a time in which certain groups that had adjusted to the new context born of the Muslim conquest – through formulas of adaptation that had allowed them to partially maintain their prior religion in mixed family contexts – were harassed into giving up these formulas, amid a new environment that was increasingly hostile to practices that had been considered acceptable up until that time.

Because of the different paces of Islamization in each region of the Islamic world, practices similar to that documented in Sicily in the tenth century have been identified in more recent periods in other regions, such as Albania[16]. I can personally attest to a modern case from Southeast Asia. In 1983 I met a female student from Indonesia who, like me, was studying in London. She told me that her father was Muslim and her mother was Christian, but that her parents felt it was unfair to the mother for Islamic law to force all the children to automatically be Muslim. As such, they decided that their sons would be Muslim and their daughters

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10 On these cases, see Maribel Fierro, *La heterodoxia en al-Andalus durante el periodo omeya* (Madrid, 1987), 53-7, where I discuss Francisco Javier Simonet's *Historia de los Mozárabes de España* (Amsterdam, 1967). The punishment meted out to these women indicates that they were accused not only of insulting Islam, but also of apostasy, an offense punishable by decapitation.

11 David Santillana, *Istituzioni di diritto musulmano malichita con riguardo anche al sistema sciafiita*, 2 vols. (Rome 1938), I, 164.

12 The cases of Aurelio and Sabigotona, Félix and Liliosa (beheaded in 238/852) as well as Leocritia (beheaded in 245/859) also reflect the diversity of situations that could arise from interfaith marriages and from having close relatives who were not Muslims. There is even a case of a Christian man who married an Arab woman (Simonet, *Historia de los Mozárabes*, 417), who presumably would have been a Muslim – a union that according to Islamic law should not have been possible.

13 A study on such regulations in early Islam would help establish how and when they were formulated.

14 Maribel Fierro and Manuela Marín, "La islamización de las ciudades andalusíes a través de sus ulemas (ss. II/VIII-comienzos s. IV/X)," in P. Cressier and M. García-Arenal (eds.), *Genèse de la ville islamique en al-Andalus et au Maghreb occidental* (Madrid, 1998), 65-98; Maribel Fierro, "El proceso de islamización en el occidente islámico visto a través de los ulemas (ss. II/VIII-IV/X)," in Bilal Sarr and María Ángeles Navarro (eds.), *Arabización, islamización y resistencias en al-Andalus y el Magreb* (Granada, 2020). During the same years in which Christians were voluntarily seeking martyrdom by publicly insulting the Prophet and Islam, the growing prominence of the *'ulamā'* can also be inferred from recorded instances of Muslims being punished for blasphemy: Maribel Fierro, "Andalusian *fatāwā* on blasphemy," *Annales Islamologiques* 25 (1990), 103-117.

15 Cyrille Aillet, *Les mozarabes, Christianisme, islamisation et arabisation en péninsule ibérique (IXe-XIIe siècle)* (Madrid, 2010); Janina Safran, *Defining Boundaries in al-Andalus: Muslims, Christians, and Jews in Islamic Iberia* (Ithaca, 2013).

16 Noel Malcolm, *Rebels, believers, survivors: studies in the history of the Albanians* (Oxford-New York, 2020), 62-4. I owe this information to Michael Cook.

Christian. The student's family lived in Indonesia, which seems to indicate that this situation was possible there at that time; in all likelihood, such is no longer the case.

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