

The Muslim Minority in the Portuguese Kingdom (1170-1496): Identity and Writing¹

Maria Filomena Lopes de Barros²

Abstract

The historical perspective of the Portuguese Muslim minority (just like that of the Jewish one) was subjected to a mediated discourse, based mainly upon the documentation that was produced or controlled by the Christian powers. Even so, it is possible to trace the identity marks of this minority in the written records, mainly in the production of Islamic Law or in other documents that recorded services rendered to the Portuguese king in Islamic territories. A bipartite identity is expressed in Portuguese, in the adscription of Muslims to the King and the Realm, in their assumption of the legal status of *mouros forros* (free Moors), and in Arabic, as *garīb*, in their relationship with the Islamic *umma*.

Keywords

Muslim minority, Portugal, Islamic law, *garīb*, Arabic language

Resumo

A perspectiva histórica da minoria muçulmana Portuguesa (assim como da judaica) foi submetida a um discurso mediado, porque baseado principalmente na documentação elaborada ou controlada pelo poder cristão. Apesar disso, é possível traçar as marcas identitárias dessa minoria nos registros escritos, principalmente na produção de Lei Islâmica ou em documentos que registam serviços prestados ao rei Português em territórios islâmicos. A identidade bipartida é expressa em Português, na adscrição dos muçulmanos ao Rei e ao Reino, através da sua assunção do estatuto jurídico de *mouros forros*, e em Árabe, como *garīb*, na sua relação com a *umma* Islâmica.

Palavras-chave

Minoria muçulmana, Portugal, Lei Islâmica, *garīb*, Árabe

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² University of Évora /CIDEHUS, Portugal. *E-mail*: mfbarros@uevora.pt

The Christian conquest of the Iberian Peninsula inevitably meant the incorporation of Muslim communities into the new kingdoms that were being formed. Throughout Hispania, the twelfth century witnessed the spread of legal milestones that progressively transformed the status of the captive *Moors* and war slaves and incorporated them into free communities, organized by free and taxable individuals. These *Mudéjares* thus became legitimized through charters granted by different lords, whose power was based on taxation clauses derived from Islamic law. As if it had been placed on the other side of a mirror, Christian and Latin Hispania symmetrically reproduced the reality of Arab and Muslim Al-Andalus by incorporating ethnic and religious minorities. However, while the latter reality derived from Islam's own jurisprudence (the *dimma*), in the former case, such protection took the form of an application of analogical reasoning, based on previously experienced circumstances and the pragmatism of the political praxis itself (Burns, 1984: 59).

The Portuguese kingdom was no exception. The two dates referred to in the title of this text establish the limits for the existence of these Muslim groups. These dates, just like any others in History, are used as a merely indicative frame of reference, pertaining, in this concrete case, to two legislative acts made by different kings. The first of these, dated March 1170, was the charter that created the *free Moors* of Lisbon, Almada, Palmela and Alcácer, issued by Portugal's first king, Afonso Henriques; the second was the edict promulgated by Manuel I, in December 1496, ordering the forced conversion or, as another option, the expulsion of all Jews and Muslims from the kingdom. There was therefore a cycle, initiated by the charter and ending with the edict.

Ultimately, however, these acts did not embrace the full reality that they were intended to cover. In the first case, the charter represented the beginning of the legitimization of the Muslim communities, but it did not exclude the prior existence of free Muslims, in parallel with other *mauri*, a status that was synonymous with that of slaves/war captives. In the second case, expulsion did not in fact apply to all Muslims, given that the king himself allowed for certain exceptions (Soyer, 2007: 243-253; Barros, 2007: 595-611).

An essential question needs to be asked in this analytical context: what was the role played by the Muslims themselves in the historical narrative of the Muslim minority in the Portuguese kingdom? In fact, the collection of documents relating to this situation was overwhelmingly (if not totally) produced by the victors—that is to say by the different Christian powers that first settled in the territory and then later consolidated and expanded it. Thus the written word represented the material expression of these powers. However, this does not mean that the Jewish and Muslim communities did not, in turn, produce their

own written expression of their situation, necessarily in dialogue with the others. But the preservation of documents, beyond the vicissitudes of fate, implies a strong ideological component in the very construction of what will later become an archive. For medieval documentation, the consequences of the edict of 1496 were disastrous, making the writings produced by Muslims and Jews if not ideologically conspicuous, at least completely redundant. Apart from a few extremely rare exceptions, the direct voices of these minorities have not reached down to us. A silence made deafening by the emptiness of their own archives.

This historical narrative is thus constructed according to a mediated discourse. Mediated, because it is based upon documentation produced by the Christian majority and originating, in the Portuguese realm, mostly from the royal chancery, but also from religious institutions (in particular, property contracts) and, to a lesser extent, from municipalities. Thus the Christian ruling powers are the subjects of a discourse in which Muslims appear only as their object. But this does not imply political inertia or institutional and/or individual passivity, or even these communities' implicit acquiescence in the practices of the different powers. The royal documentation, in many cases, records several complaints made by the communities or by a few of their members, and ratifies their claims. Nevertheless, the discourse itself is always *Christian*, in an inevitable selection from the *Other's* mediated voice. This text will attempt to filter out from those writings the records that translate the very own and unique voice of the Muslims from the Portuguese kingdom.

1. The 1170 charter

The 1170 charter, granted by the first Portuguese king and his son, the future Sancho I, is the founding document affording recognition to Portugal's Muslim communities. A new legal category emerged from the charter, that of the *mouros forros* (free Moors), in contrast to the great majority of Muslims who were not yet liberated in the twelfth century and were thus globally referred to just by the word *Moors*. The synonymy between this term and the status of slavery blatantly reflected a society that was at war, in which the territory remained under dispute with the Muslim powers. An apparent paradox: the underlying ideology called for a *Christian Conquest*; thus the legitimacy of the Portuguese monarch himself was based upon his status as a warrior lord, fighting precisely against the *infidel*. Yet, even so, the 1170 charter recovered the Muslims' political participation in the

Christian kingdom and legitimized an administrative framework that incorporated those very same *infidels*. All of this resulted in a complex range of registers, in which the political praxis created a new dimension and went far beyond the parameters imposed by the abstract ideological discourse of the Christian conquest.

The text of the charter itself is extremely significant. Written in Latin, it followed the standard diplomatic language of other charters written at that time. After a religious invocation (“In dei nomine”), it begins by identifying those who were issuing the charter (“Ego Rex Alfonsus portugalis una cum filio meo Rege Sancio”). Next comes a description of the written act (“facio cartam fidelitatis et firmitudinis”), and finally the addressees are identified (“vobis mauris qui estis forri in Ulixbuna et in Almadana et in Palmela et in Alcazar”). There is nothing in this format that reflects anything other than the representation of the king’s power, in a hierarchical and unilateral posture of bestowing royal grace and favor. What should be noticed, however, is the term *mouro* [Moor]. This referent is used in isolation as a synonym for slave/captive. Defining a new legal situation required a certain terminological precision, resulting in the notion of “Moors who are free” (“mouros que são forros”), which later evolved into the more synthetic term of *mouros forros* (free Moors).

The term *Moor* ended up assimilating the term *Muslim* in all of its variables, according to both an external perception and a classificatory process established by the agents and the language of power. This was a homogenizing process that completely purged whole categories of the expression of identity that had been used in earlier times (such as Berbers, Arabs, *muladí*), but, at the same time, it led to the integration of these *Muslims* into the new kingdom that was being formed. The term *mouro* became a referent that would progressively be internalized by the very subjects to whom it was applied.³

The contents of the charter can be divided into two parts. The first part afforded the Muslims the monarch’s protection and established the legal principle of autonomy. This prevented Christians and Jews from having any power over the community and established the position of *alcaide*, the person who would be responsible for the respective jurisdiction. The second part, appropriately starting with the words “et hoc facio ut” (meaning “and this I do, so that”) established the fiscal charges and the services that would be provided in return for these: the charge of one *morabitino* for adults, the *alfitra*, the *azaque* and the tithe levied upon labor, and finally, the cultivation of the king’s vineyards and the

³ This “nationalization” of the Muslims was a process that was followed in all the Iberian Kingdoms, taking the same form in Castile (*moro*), although the term *Sarasin* was preferred in Aragón.

sale of his figs and olive oil, at the prices practiced by Christians, a third of which was to be put aside for the king (Barros, 2005).

It was precisely in these clauses that the voice of the Muslims could be heard in its most direct form. Indeed, the preceding excerpt had already translated a few words of Arabic origin that, like so many others, have since entered the Portuguese language. This was the case with the terms *forro* (from the Arabic *ḥurr* “free”) or *alcaide* (*al-qā'id* “chief, commander”), the latter having a military connotation that lasted throughout Portugal’s medieval context. But *alcaide* now acquired a specific meaning for the Muslim communities. As the text specifies, this magistrate was, in fact, closer to an *al-qāḍī*, “a judge”, which, in Portuguese, became the word “*alcaide*”. In fact, until the end of the fifteenth century, the Muslim *alcaide* was the supreme authority for Muslim communities, in the double sense that had now become attached to the word: an external one, making the *alcaide* the Muslim representative in dealings with the other Christian powers; and an internal one, acting as the judge for the community.

These words thus naturally formed part of the process of the very creation of the Portuguese language, which, like other Iberian languages, incorporated several terms borrowed from Arabic. The names that were given to taxes belong, however, to another category, and were used specifically in reference to the Muslim minority. The *alfitra* and the *azoque* clearly demonstrate this fact. Both correspond to the term *al-ḡakāt*, the only tribute payment established in the Koran (and one of the five pillars of Islam), taking the form of a legal almsgiving that was levied upon all sorts of assets, chattels and real estate. The *alfitra* (*ḡakāt al-ḡitra* or *ḡakāt al-ḡitr* – “almsgiving at the end of a fast” because it was to be paid at the end of the month of Ramadan) was levied *per capita* on every person, regardless of their sex and age (Abboud-Haggar, 1997a: 170-171). This division of the *al-ḡakāt* between property and individuals did perhaps correspond to an Almoravid division of this legal obligation.

Thus, the very framework of taxes and tributes in these communities derived from a Muslim discourse, continuing the Islamic Law that had been created by their own legislators. Another clause also corroborates this reading, since it introduces another concept taken from Islamic jurisprudence, although it does not adopt its specific term. The *per capita* tax of one *morabitino* (another term borrowed from Arabic) that was to be paid by those about to start their economic life (“*ex quo tempore victui necessaria ganare potueritis*”) refers to both the idea of age and to the male gender. In fact, in a later charter already written in Portuguese, the one granted to the community of Moura in 1296, this idea is clearly stated,

since we can read that this tax was due to be paid by all *Moors* aged 15 or more (Marreiros (ed.), 2012: 481-482). The tribute thus corresponded to the *jizya*, a tax that was levied upon non-Muslim male adults integrated into the *dār al-Islām* (Islamic territory), as a symbol of their submission, and converted them into *ahl al-dimma* (people under protection). The mirror thus reflects an inverted reality, this time the levying of an Islamic tax upon another minority, in a different historical context.

In any case, the use of Islamic taxation in a Christian context introduced a Muslim discourse, produced by Muslim agents, that would be repeated over the following centuries. It was also a discourse that was reproduced at the royal chancery, because it was in the immediate interest of the Crown to appropriate this minority's discretionary income. Yet it was a discourse that also established a bond, legitimized in writing and involving not only the judicial acknowledgment of these communities by the monarch, but also an implicit ratification of the Portuguese king, as their legitimate sovereign, by the Muslims. It was a bond that therefore operated in two ways.

2. Islamic Law, Muslim Identity

The 1170 charter established a new communicative context for the relationship between the monarch and his *free Moors* (*mouros forros*). Furthermore, it was constructed in such a way that it served as the archetype that, at a much later date, would be applied to other Muslim communities, such as the one under the jurisdiction of Lisbon, since the Almohad offensive of 1190-91 had limited its applicability to that city after the recovery of Almada, Palmela and Alcácer as Islamic territory.

From the point of view of taxation, this influence of Islamic law served as a structuring factor throughout the life of the Muslim minority in the Portuguese kingdom. From the outset, the jurisprudence of Lisbon's lawmakers left its mark on a constant stream of laws implemented according to the needs and interests of the ruling monarch. Indeed, the texts of several charters state that, in all cases, Lisbon's jurisprudence should be followed, in what amounted to a privileged relationship between the Portuguese monarch and *his Moors* from the Lisbon *comuna*. This serves to explain how, through a mediated discourse, Islamic law was to leave its mark on medieval Portuguese life, as can be seen by the preservation of these documents, a situation that is justified only by the fact that these were royal charters, and therefore written in Portuguese.

The first documented application of Lisbon's jurisprudence across the whole kingdom only appeared in 1315 (much later than the granting of the first charter). It dealt with doubts that had arisen about which tax to apply to cattle belonging to Muslims from Moura. These questions were answered by the *juiç dos direitos régios* (judge of royal rights) of the Lisbon *comuna*, Abel Focem (Abū-l-Ḥusayn), who determined the payment of the *quarentena* (one fortieth) on goats, cows and sheep, and the tithe of one tenth on the offspring of horses, donkeys and mules.⁴

The tithe and *quarentena* would be included in the concept of the *al-ḡakāt*, which appeared in a later document. It was defined as *aziqui*, the equivalent to the Portuguese *tithe*, which consisted in paying the monarch “out of ten, one, and out of forty, one”, “as [Muslims] gave to the Moorish king when the land belonged to the Moors” (Herculano (ed.), 1856: 98). In this text, we find the same clauses established for Moura, but adding one more group of animals, camels, to the list of horses, donkeys and mules. Camels were, indeed, a category of animals on which the *al-ḡakāt* was levied, even though there are no references to such animals ever having existed in the kingdom of Portugal. The abstract discourse of the law takes precedence over the pragmatism of everyday life.

Furthermore, this document⁵ constitutes one of the most significant testimonies to a Muslim discourse, even though, like so many others, it could be overridden by royal orders. Written during the reign of João I (1385-1433), it formed part of the broad administrative reforms implemented by this sovereign, who was confronted with what amounted to a general crisis, further exacerbated by the armed confrontation taking place with the Castilians. The systematization and recovery of an Islamic fiscal policy was indeed one of this monarch's priorities, resulting in a detailed text that compiled all the different aspects of the taxes imposed on the kingdom's Muslims. This task, resulting from an exhaustive survey of the charters and other royal documents, was entrusted to Jufez, a notary from the Lisbon *comuna*, who was “fully versed in the law of the Moors”. He was also the only person to sign the document in both Portuguese and Arabic. Thus, he signed his name in Portuguese, “Jufiz”, and provided his fuller identification in Arabic characters: Yūsuf b. Ibrahīm b. Yūsuf al-Lahmī (Herculano (ed.), 1856: 100).

A number of aspects to be found in this document should, however, be stressed. First, the definition of the *al-ḡakāt*, which we have already looked at, and of the *al-ḡitra*, which was defined as a tax payable by all Muslim men and women on the first day of

⁴ Torre do Tombo (T.T.), Chancelaria de D. Dinis, Book 3, fl. 90.

⁵ There are two versions of this document: the original signed by the Muslim notary – published in (Herculano (ed.), 1856: 98-100) and a later copy - T.T., Gaveta 10, maço 12, doc. 17, fls. 9 v. – 11 v.

January, consisting of “six *dinheiros* of old money”. Second, the maintenance of the *jizya*, which was explicit, although it was not named, as was also the case in the texts of other charters. Thus, as soon as they started their working life, all Muslim males had to contribute with the so-called *libra de cabeça* (one pound per head), also due to be paid on the first day of January.

The concepts of Islamic law were thus subverted, to some extent, in a fiscal policy that had been adapted to the context of a Christian kingdom (namely the date of payment of the *al-fitra*, supposedly due on the final month of Ramadan). However, the principles pertaining to Islamic law and most of its terminology were retained. And, in this sense, we can see a formal corroboration of the link of legitimacy that united the monarch to *his* Moors, in a (not entirely precise) perception of an uninterrupted transfer of the Muslim power to the Portuguese monarch (“as [Muslims] gave to the Moorish king when the land belonged to the Moors”).

Its main interpreters were the jurists of Lisbon, who were strictly dependent upon a royal bureaucracy, in which they participated. The above-mentioned text mentions the *comuna* of Lisbon three times, silencing all others, even though it is addressed to “all Moors, male and female”. Of significant importance here is a clause referring to the charter of Lisbon and other *comunas* “to which such a charter was given.” This clause refers to the election of their respective *alcaldes*, although this was, however, dependent on royal ratification (expressed for the first time in the charter of Moura, in 1296). The following clause, which related only to Lisbon, mentioned the old custom still adhered to in this community of having a Muslim judge, to whom all processes relating to royal property were referred, the so-called *juiz dos direitos régios* (judge of royal rights). Indeed, it was this judge who, in 1315, provided the ruling about the taxes to be levied on cattle owned by the Muslims of Moura, as mentioned above.

The document pointed to a pre-determined objective: the standardization of Muslim taxation based upon the Lisbon jurisdiction and the writings of its jurists, extendable to the other communities of the kingdom. In a clear program of royal centralization, it sought to eliminate the differences that had become consolidated between the different Muslim communities of the kingdom, and, above all, to maximize the revenue from taxation.

Another diploma from the same reign also formed part of this standardization program. It dealt with the Islamic law of succession (*‘ilm al-farā’id*), through which the monarch also became a beneficiary. This measure had a dual perspective. On the one hand,

it was issued within the context of manorial rights, while on the other hand, it dealt with the legitimization of the Portuguese monarch as an heir to the Muslim rulers, and therefore as a natural depository of this heritage.

There are two diplomas that were related to this issue. The oldest one (which, as we mentioned earlier, dates back to the reign of João I)⁶ began by referring to the fact that it was an answer to a question raised by Álvaro Peres, a royal official, about how the monarch should inherit in the event of the widowhood of either a female or a male *ego*. This answer, drawn up by four personalities from the Lisbon *comuna* (Master Bucar, Brafome Capelão [Chaplain], probably the community's *imām*, Mafomede of Avis, and Faras), was therefore subordinated to the reiterated expression “the king inherits” (“el-rei herda”) or to its negative version (“the king does not inherit”—“el-rei não herda”), according to the different clauses stated.⁷ Fifteen articles refer directly to the law of succession, establishing under what circumstances someone may make a will and thereby bequeath a third of their assets (all Muslims over ten years old could do so), while three articles refer to marriage.

This diploma would, however, be subjected to changes during the reign of Afonso V (1438-1481). Having found the earlier declaration to be “imperfect, and very obscure,” the monarch delegated to the *alcaide* of the Lisbon *comuna* the task of assembling “all educated Moors who are knowledgeable of their laws” to correct and add whatever was necessary. The final result would be published in the General Ordinances of the Kingdom (*Ordenações Gerais do Reino*), under the significant title of “About how the King should inherit from the free Moors living in his Kingdoms and Domains” (Albuquerque (ed.), 1984: ll. 222-242). The recognition of Islamic law was therefore materialized as a constituent part of the legislative body, even if this was performed from a perspective that, by subverting the purpose of that inheritance law, assimilated it into the broader concept of the king's rights.

The difference between the diplomas was to be found, not so much in the alterations to their substance, but in the greater development given, in the latter case, to the already stated clauses or to the introduction of others, which had previously been omitted. It was indeed the meticulous style of the second diploma that created such a distance between the two documents, suggesting that the remodeling of João I's survey was due to

⁶ There are two copies of this document: T.T., Inquirições de D. Afonso III, Book 4, fls. 14 v. – 15 v.; IDEM, Gaveta 10, maço 12, doc. 17, fls. 9 v. – 13 .

⁷ For example, “with a male son, the king does not inherit a single thing through the laws of the Moors”, but “with a brother or sister of the mother, the king inherits when the deceased does not have any other heirs”.

its broad character. This very amplitude created doubts regarding which criteria to use in concrete cases. The discourse was thus amplified, suggesting a greater knowledge of formal Islamic law, (*fiqh*) *malikite*. Thus, for example, the text of the *Ordenações* stated the prescription of a marriage of a male *ego* to four women, omitted in the earlier diploma, which had only contemplated a monogamous structure (always singularizing *the wife*), according to the everyday customs of these communities.

In this way, the discourse of the Muslim minority was incorporated into the very legislation of the Kingdom, which was thus marked by Islamic lawmaking. Even though it was an indirect discourse, because it derived from the monarch's immediate interests, it reflected the role played by Muslim lawmakers from Lisbon and revealed significant traces of their cultural identity.

Certain important aspects of this legal production should be stressed. First, the absence, in the above-mentioned general laws of Portugal, of any similar legal status for the Jewish minority, even though this was considerably more significant in both demographic and social terms. Second, the differences that we can see in comparison with other Muslim minorities from the Iberian Peninsula. There are indeed a few manuscripts of Islamic law to be found in other vernacular languages, such as the *Llibre de la Çuna e Xara*, in Catalan (Barceló, 1989), and the so-called *Leyes de Moros* which, like the *Breviário Sunni*, belonged to Castilian culture (Gayangos, 1853). In the first case, the document is a compilation of Islamic law (*šarī'a*) and normative statements dealing with the relationship between the minority and the majority (namely charters and royal privileges granted to Catalan communities). The *Leyes de Moros*, on the other hand, represents a translation (albeit partial, fragmented and abbreviated), of the judicial treatise *Kitāb Al-Tafrīḥ*, by Ibn Al-Ğallāb (d. 988), widely known among the *mudéjares* and, later, among Iberian *mouriscos* (Haggar, 1997b: 163-201). The *Breviário Sunni*, structured, like the latter document, according to the *furū'*⁸ system, is by Isā ibn Ğābir (or, in the vernacular, Iça Jedih, Gebir or Gidelli), the *muftí* and *alfaquí* of Segovia's *aljama*, who completed it in 1462. However, in the latter two cases, we are dealing with the same abstract universe of the translation of Sunnite orthodoxy, without the intention to use it in the context of these communities' everyday life. Just like the first, a compilation that included both Christian and Islamic rules, it was part of a more pragmatic context. But, even so, it did not constitute a judicial code for these communities. In the Portuguese case, on the contrary, it was the very context of the effective applicability

⁸ *Furū'* ("ramifications"), meaning the practical applications of the law (as opposed to its theoretical basis (*uṣūl*) is divided into two groups: *al-'ibādāt* (questions related to religious worship) and *al-mu'amalāt* ("acts or juridical facts").

of this Islamic law that stood out in the text, inasmuch as it had been elaborated as an initiative of the Crown.

Finally, emphasis should be placed on the development of Muslim law (*fiqh*) during the second half of the fifteenth century, possibly brought about by closer contacts with the North African population, due to the Portuguese expansion in the Maghreb (starting with the conquest of Ceuta, in 1415).⁹ A knowledge of Arabic was of paramount importance for this achievement. A manuscript of the *History of the Judges of Cordoba* (*Kitāb al-quḍā bi-Qurtuba*), by Muḥammad Al-Ḥusanī (d. 961), which belonged to the famous Ibn Baṭṭūta and is now kept at Oxford's Bodleian Library, refers directly to this. Indeed, following the note that mentions Ibn Baṭṭūta as the original owner of this manuscript, there is an indication of its subsequent owner: 'Umār b. Ahmad b. Yusuf al-Maqdisī, of Portugal ("bi arḍi Burtuqāl"), and later his son Ibrāhīm b. 'Umār b. Ahmad, *al-faqīh*, nicknamed Sugraq ("šahīr bi Ṣugraq"), in the year 875 of the Hegira calendar (1470) (Al-Ḥusanī 1972: 239; Aljoxani 1985: 32). The reference to the fact that the latter was a jurist (*al-faqīh*) testifies to the importance that was given to the education of these legal specialists in a transnational and Arabic-speaking context, similar to what may be noted in the other Muslim communities of the Iberian Christian kingdoms.¹⁰

3. The Arabic language and its authors: the *gurabū*

The expression of the identity of these Islamic communities can also be seen in their use of Arabic not only as a liturgical language, but also as a language of communication among the members of the *umma*, in its broadest sense. Bilingualism was one of the characteristics of the *Mudéjar* elites (as can be seen from the previous analysis), yet the question remains as to whether this was an individual feature or whether it can be considered a necessary social tool.¹¹ The recording in Arabic of the minutes of an Islamic brotherhood in Toledo, the *Ġāmi' al-waḍī'a*, dating from 1401 to 1414, proved the social function of the Arabic language within the community itself.¹² For Portugal, however, there

⁹ The circulation of members of the Maghreb's elite (as captives but also as free individuals) can mostly be noted in Lisbon (Barros, 2007: 173-180).

¹⁰ The same conclusion directs our attention, once again, to the situation in Spain (Haggag, 2008: 99-104).

¹¹ In relation to bilingualism as an individual feature and not as a social tool, for other temporal and spatial contexts in the Iberian Peninsula, see Areces (2003); Chavarría Vargas (2004).

¹² Echevarria and Mayor (2010).

are few medieval texts written in Arabic, whatever material is considered (perhaps because this subject has not yet been thoroughly investigated).

The essence of the identity of the Muslim minority is nevertheless fully etched in stone. The gravestones that have survived in Portugal, written in Arabic, reveal a full sense of the sacred, using the Arabic-Islamic onomastic structure, as well as the dating of the Hegira calendar (Borges, 1998). Thus, death represents the return to a finally purified cosmos, the parameters of which cannot be replicated in the universe of the living. In contrast, the archival documentation enshrines the dialectics of the living experience, necessarily subordinated to the Portuguese language. However, the uniformity of the Portuguese is sometimes colored by the addition of Arabic addenda to the text written on parchment and/or paper. This can be seen in the signatures in Arabic, of which the oldest specimen detected until now seems to be the one of Yūsuf b. Ibrahīm b. Yūsuf al-Lahmī, referred to earlier. As a Lisbon notary, he signed the diploma in both Portuguese and Arabic, limiting himself, in the first case, to the identification of his own first name (“Jufiz”). In the second, he wrote a more complete personal identification, adding to his first name, that of *nasab*, in reference to his father and his paternal grandfather, and a tribal *nisba*, which links him to the Yemenite tribe of Lahm (Herculano (ed.), 1856: 100).

This is the only complete signature known so far.¹³ Some others can be found in different categories of documents, although these are greatly abbreviated and date from the fifteenth century.¹⁴ One set of signatures that refers, once again, to Lisbon, should nevertheless be emphasized. These were produced after 29 May 1473, the date of a marriage contract made between Muslims from that city, on the back of which the signatures were inscribed. This document is autographed by Mafamede (Muḥammad) Láparo, the *imām* (“chaplain”) of the Lisbon *comuna*. Written in Portuguese, it states the resolution of a disagreement about the contractual clauses of the above-mentioned marriage, previously agreed upon by contract. Some particularities about the Arabic signatures in this document are particularly notable. First, they do not follow the exact same model as the previous examples, but are instead rubrics, that is to say brief signatures with the inscription of only a few letters from each of the respective names. Second, Mafamede Láparo validated the document through his signature, in which we can identify only the initial *mām*. Deciphering those rubrics therefore poses additional problems, exacerbated by the fact that the document is in a dreadful condition, allowing for only a

¹³ For other uncompleted rubrics, see Barros (2011).

¹⁴ See Barros (2011).

partial reading, which makes it difficult to identify the rubrics with the people who participated in this act (Barros, 2011).

Dating from a much later period, another document seems to be related with this individual, who was one of the few Muslims allowed to stay in Portugal, as such, after the edict of 1496. He continued to live with his wife, Zoaira, in the Lisbon *Mouraria*, the ancient Muslim quarter of the city, and he is reported to have died in February 1515.¹⁵ In June 1514, the king, Manuel I, granted the “chaplain of the Moors” some clothing, which the latter received, signing the receipt in Arabic, as Muḥammad al-Ru‘aynī.¹⁶ In an undated letter addressed to the secretary of state, though undoubtedly after the publication of the edict, the sender also identifies himself as “the previous chaplain of the Moors” (“o capelão que foi dos mouros”) and signs himself as the “Moor chaplain”. This identification still survives in the document of 1515, in which Mafamede Láparo is also referred to as the “chaplain”. Mafamede Láparo and Muḥammad al-Ru‘aynī do in fact seem to be the same person, the last “chaplain” of the Lisbon Muslims.

In a previous text, I suggested the hypothesis of an identification between the Láparo family from Lisbon and the Ru‘aynī family (Barros, 2012: 55) The dual adscription to Portuguese society and to the *umma* results in a dual onomastic identity, with a Romance last name and an Arab one, which would be used in different circumstances. In the document written after May 29 1473, he identifies himself as Mafamede Láparo, chaplain, due to the official nature of the text, and this formula is the one used for all the Christian documentation; in 1514, he signs himself in Arabic as Muḥammad al-Ru‘aynī, in a personal act in which he emphasizes his Muslim identity, which is highly significant as, by then, the Muslim community was officially extinct. Perhaps this was to be seen as an act of resistance and a personal statement, marking a final return to an identity that he could not fully express before the edict as part of a community, but which he could now admit to as a single individual.

Muḥammad al-Ru‘aynī, or, better, Muḥammad b. Qāsim al-Ru‘aynī is to be found in another context and at another level of the written records, involving not only the use of Arabic, but also the preservation of the respective documentation in the National Archives. The Portuguese expansion into Morocco naturally led to renewed contacts and to the celebration of pacts with the North African population. The repeated use of interpreters and translators from the Muslim minority was one of the expedients resorted to by the

¹⁵ ANTT, Hospital de S. José, Livro 1118, fls. 21-23.

¹⁶ ANTT, Corpo Cronológico, Parte I, mç. 15, n.º 75

Portuguese monarchy. Translation was thus yet another of the services rendered to the Crown by the Muslims throughout the 1400s, resulting in a production that has been preserved precisely because it took place under the auspices of the monarchic power.

The name of one of these translators can be read in two missives, from 1486 and 1504, sent respectively by João II (1481-1495) and Manuel I (1495-1521) to the inhabitants of Azemmour. At the beginning of the first letter, the Muslim writer identifies himself by his name and his status as an interpreter and servant (*servidor*) of the king. Towards the end, he introduces a more personal phrase: “And this text has been written by the servant of our lord, at his orders, your sincere brother *garīb* Muḥammad b. Qāsim al-Ru‘aynī, *ḥaṭīb* from your brothers *gurabā* [sic] (may God forgive him and better his situation), who salutes you” (Cénival, 1934: 14—Arabic version—and 23—French version). Undoubtedly this translator/interpreter belonged to the elite of the community, whom he served as a *ḥaṭīb* (preacher). Furthermore, his link to the *dār al-Islām* is revealed in the parameters through which he identifies his own community, characterized by the use of the term *garīb* pl. *gurabā*’ (“foreign”). The term seems to be used in an Islamic context as an auto- and hetero-recognition of the Muslim minorities living under Christian rule, as is confirmed by other sources.¹⁷

In the second letter, written after the Edict of Expulsion, he adds an additional fact: the location from which he writes: the city of Lisbon. This may lead us to presuppose that he was an inhabitant and *ḥaṭīb* of the *comuna* of this urban centre. However, the letter already belongs to a period after the Edict of Expulsion, and this aspect is directly reflected in the writing. Thus, in accordance with the obligation upon both minorities to convert, this *servant* of the Portuguese king no longer states his Arabic-Islamic name, but only his *nisba* (Ru‘aynī).¹⁸ The link with his “brethren” of Azemmour now relies upon this onomastic referent, still Arab, but excluding the first name. But the sharing of the same religion, even if experienced in secret, seems to come through in his use of the expression “slave of God” (*‘abd Allāh*), commonly used in an Arabic-Islamic context, sometimes even

¹⁷ A later document, from 1504, the famous *fatwā* of the muftí of Oran, refers to exactly the same term in its definition of Muslims forced into conversion by royal decrees. A copy in Arabic has survived, as well as a translation into *aljamia* (the Spanish language written in Arabic characters). Although it does not clearly state to whom it was destined, it is addressed to the “alḡariboš”, in the Aljamiadic version (this translation, according to the manuscript in the Méjanes Library of Aix-en-Provence, was kindly pointed out to me by Jean-Pierre Molénat), and to the *gurabā*’, in the Arab version (Harvey, 2005: 60). In this sense, the term implies a semantic transformation from the twelfth century – see Fierro (2000).

¹⁸ “Written and translated by your devoted and sincere servant, the humble slave of God, Ru‘aynī, who salutes you from the capital of Lisbon (*Ušbūna*), April 22 of the year 1504 (*fi 22 min Abril ‘āmi 1504*)” – Cénival (ed.) (1934: 98 – Arabic version – and 99 – French version).

as a first name. Furthermore, there is no longer any mention of the term *garīb*, which implies the official end of the Muslim minority who, together with the Jewish minority, were incorporated (from the viewpoint of the Christian power) into the new social reality of the New Christians (*crístãos-novos*). It is a discourse, therefore, which in both cases, even though it remains subordinate to the royal interests, does not fail to express the identity, not only of its producer, but also the living experiences of the group to which he belonged.

In fact, it is quite possible to identify this Muḥammad b. Qāsim al-Ru‘aynī with the same Muḥammad al-Ru‘aynī or Mafamede Láparo who was the last “chaplain” of the Lisbon Moors. Not only do the first and last names coincide, but he also identifies himself as a religious leader within the community (though as a *ḥaṭīb* and not an *imām*) and he states that he writes from Lisbon. Furthermore the chronological parameters of these two letters, 1486 and 1504, coincide with what we know about his life, namely that he was one of the few Muslims who remained in the kingdom after the 1496 Edict.

The *nisba* Ru‘aynī is connected with a tribe from Southern Arabia, the *Dū Ru‘ayn* (Guichard, 1976: 338-364). As in other cases of the Peninsular *Mudéjares*, it refers to a symbolic capital, as a means of drawing a distinction and establishing a hierarchy within the group, in a self-professed claim to belong to an elite (*al-ḥāṣṣa*) validated by the recognition of the community. In this context, the designation seems to be turned into a family surname,¹⁹ which may be the case with the Ru‘aynī. In fact, a letter from a previous period introduces what apparently seems to be another member of this family structure. This letter, dated April 1454 (rabi’ II 658), is transcribed in a manuscript, currently housed at the National Library of France,²⁰ probably the work of a clerk of the Mamluk chancery who was active until the beginning of the rule of Sultan Qāyṭbāy (872/1468-901/1496) (Bauden, 2007: 5-6). The letter is addressed to Sultan Īnāl (857/1453-865/1461), and the authors are identified as his “slaves” *ḡurabā’* (*‘abīdukum ḡurabā’*), who were Muslims and lived in the city of Lisbon and its surroundings. They were then forced by the king of Portugal, Afonso V, to write to the sultan in response to the protests of the Jerusalem Christians, begging him to allow the Christians to rebuild their churches. For this purpose, they sent two envoys who were well instructed in the Koran, and of noble descent, the *faqīh/s* Abū al-‘Abbās b.

¹⁹ See the transformation, for the tribal *nisba* of al-Qaysī, into a familiar surname in Toledo (Molenat, 2003: 206) and for the al-Kinanī, from Loulé (Portugal), which seems to reflect the same reality (Barros, 2007: 276)

²⁰ Bibliothèque National de France (BNF), Arab manuscripts 4440, fls. 58 v.– 60. I wish to thank Frédéric Bauden for sending me a copy of this document, as well as the bibliography related to it. The document was partially transcribed and translated by Colin (1935-1940: 201-203).

Aḥmad b. Muḥammad al-Ru‘aynī and Abū ‘Abd Allāh Muḥammad b. Aḥmad al-Wandāḡī.²¹

The outcome of this action is unknown—no documentation identified so far has preserved its results. Nevertheless, once again, the same verbal parameters are used to identify these members of the Muslim minority as *ḡurabā’*, and to stress the existence of a *ḥāṣṣa* within these communities. In Lisbon, the Ru‘aynī family seems, in fact, to have played an important role in the community, at least in the fifteenth century.

* * *

As a whole, the discourses of Muslims from the Portuguese kingdom emerge, albeit rather timidly, through written material mainly mediated by the Christian powers and selected by them, in the construction of what came to constitute the basis of the National Archive. This is a trajectory that is particularly marked by Islamic law and by the Muslim jurists from Lisbon, but also by a bipartite identity that is expressed in Portuguese as much as in Arabic. Semantically, this dual adscription is stated by these communities as *mouro forro* (“free Moor”) in an internal affiliation expressed in Portuguese, and as *ḡarīb*, through their connection to the Islamic *umma*, and through another register of communication, that of the Arabic language.

²¹ Colin interprets this as al-Wandāḡī and questions whether it should be read as al-Randāḡī, “a more common Hispanic ethnic” (Colin 1935-1940).

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