The Most Noble of People

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Introduction

It was said [to Muḥammad]: “Who is the most noble of people?”
[He replied:] “The most pious among them.”

—FROM THE HADĪTHS, QUOTED BY IBN HAZM,
JAMHARAH ANSĀB AL-ʿARAB

This book is a study of cultural identity in Muslim Spain (called “al-Andalus” in Arabic) during the time of the Umayyads, an Arab dynasty whose continuous rule in al-Andalus began in 756 and ended in 1031. The Umayyads had ruled the entire Muslim Empire, from Spain in the west to modern Pakistan in the east, from 661 until 750. In 750 they were overthrown by the Abbasid family; a surviving Umayyad prince, who had ties in western North Africa through his mother’s family, escaped to al-Andalus and became ruler in 756, while the rest of the empire remained under the control of the Abbasids. Al-Andalus was part of the western Islamic world, called in Arabic “al-Maghrib” (literally “the west”), which consisted of western North Africa from Morocco to Tunisia, and most of the Iberian Peninsula.

Although some sections of this book look to periods after the fall of the Umayyads, 1031 is an important transitional date for this study, marking as it did the end of rule by a single dynasty (albeit one that faced frequent challenges) and the beginning of a period of political fragmentation. Paradoxically, 1031 also introduced a brief period of relative cultural stability before the North African Almoravids invaded in 1086. During that period, most people in al-Andalus were Muslim in religion and thought of themselves as Arab in cultural identity, whether that identity was biologically based or ad-
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opted. Before 1031 cultural identity was more varied, fluid, and contentious. Christians during the Umayyad period converted to Islam in large numbers. A Christian or Jewish man, although he could not claim to be a part of the Muslim community, could have a kind of honorary Arab identity on the basis of his familiarity with Arab language and culture. Muslim Berbers (indigenous North Africans and their descendants) might see themselves for some purposes as part of the community of all Muslims, while at the same time feeling sufficiently oppressed by the Arab Muslim elite to justify rebelling against them.

The ideology of gender also created unclear boundaries during the Umayyad period. A woman was both part of and not part of her ethnic and religious group. The version of Islamic law dominant in al-Andalus, for example, recognized women as full members of the Muslim community when it came to basic religious observances like prayer and fasting, but placed them under the care of a male guardian for other purposes, like negotiating marriage contracts. Most Muslim religious authorities agreed that men transmitted their religion to their children; children with a Christian mother and a Muslim father were automatically Muslims. Arab tradition treated the transmission of ethnic identity in the same way, so that the child of an Arab father was considered fully Arab, regardless of the mother’s ethnicity. While the ambiguity of ethnic and religious identity was resolved in part at the end of Umayyad rule by a general adoption of Arab Muslim culture, the ambiguity of women’s place in that culture was not.

In this study I lay out the major conflicts and ambiguities in identity that arose during the Umayyad period. I end the study at a point at which some of those conflicts had been resolved and some remained as loose ends. Among the former were the perceived differences between Muslims who were Arab, Berber, and native Iberian. Although there is some evidence that newcomers to al-Andalus, like some of the Berber groups who arrived only in the late tenth and early eleventh centuries, were still seen as a separate category of Muslim, generally the various categories had merged into a single designation as Arabic-speaking Muslims. Among the latter were ideas about gender, which changed over time but were not resolved by the emergence of a more general Arabic-speaking Muslim culture.

INTENDED AUDIENCE

Although I believe my work will be of interest to scholars who have expertise in al-Andalus, I also intend it for a more general audience, includ-
ing students and anyone with an interest in the Middle Ages and Islamic history. As I will discuss later in this introduction, it is important that we not see the past only as a reflection of ourselves. Nevertheless, some of the questions about gender, ethnicity, and religious identity that people in al-Andalus faced are still relevant to the world today. Some Muslim countries still use Islamic law to define women’s status. The question of what exactly it means to be a Muslim, whether one lives in Tehran or Paris, is a live issue. I have kept specialized theoretical language to a minimum and have tried to explain unusual names and terms as they arise.

SCHOLARSHIP IN THE FIELD

Islamic Studies in Europe and the United States have focused on the eastern part of the Islamic world, traditionally defined as extending from the Nile River to the Oxus River, without much attention to the Maghrib.¹ An argument can in fact be made, if not for neglecting the Maghrib, then at least for treating it as a separate case from that of the east. Although some cities in the Maghrib, including Córdoba and Qayrawân, became important cultural centers, the region was far from the eastern capitals of Damascus and Baghdad. The Muslim invaders of the seventh and eighth centuries who defeated the Berber tribes in North Africa and the Visigoths in Iberia found nothing like the literate cultural traditions of Persia or the heartland of the Byzantine Empire. High culture in al-Andalus consisted of an attenuated Latin intellectual tradition kept alive by the Church. Western North Africa still had remnants of Byzantine urban centers, like Carthage, but much of it was dominated by polytheistic Berber groups unconnected to Byzantine culture. The classical Islamic culture that developed in the ninth-century east, with its legal, literary, and scientific components, evolved partly in response to contact with the older Persian and Byzantine traditions that were indigenous to the region. When that culture diffused to the Maghrib, it came as a borrowed set of norms with few local roots. Also in contrast with the east, relatively few Arabs went west at the time of the original conquests, and as a result large numbers of Berbers in North Africa were quickly converted to Islam and recruited into the military; they made up the bulk of the army that invaded Iberia in 711. Those demographics meant that the Arab conquerors in the Maghrib had to deal with the question of whether non-Arab Muslims were full members of society more quickly than the east did. In conquest-era society, fighting in the army meant that one had a claim to a share of the loot and a place in the community, and Berbers quickly pressed that claim.
In the modern era, the study of al-Andalus has been complicated by the fact that it has taken on an important symbolic role in European history. For European scholars, al-Andalus has at different times represented the confrontation between Islam and Christianity, as well as an idyllic period of coexistence between Muslims, Christians, and Jews. For the Spanish of the nineteenth and first half of the twentieth centuries, the Muslim period was a metaphor for and an explanation of Spain’s perceived problems taking its place in the modern world. For many Spaniards of the twenty-first century, living in a Spain that has most definitely joined the modern, forward-looking European world, the period of Muslim dominance and Jewish presence has ceased to be a dark chapter of the past and has become instead a source of pride and a symbol of Spain’s history as a cosmopolitan meeting place of cultures. For others in the West, al-Andalus is a part of the debate over Islam. Some see the multicultural nature of Andalusī society as evidence of Islam’s essential tolerance; the ever-vigilant anti-Muslim website “Jihad Watch,” on the other hand, notes that Osama bin Laden lamented the loss of al-Andalus as a tragedy for Islam, and it takes what he said as a sign that Muslims intend to recapture Spain. Al-Andalus’s role in the psyche of the West—its status as both Europe and not-Europe—has separated it from its context in the broader Islamic world and led to its being treated as a unique phenomenon, thus locating it yet one step further from mainstream Islamic Studies.

While al-Andalus’s location and the unusual demographics of its invading army make its history unique, it can most usefully be seen as part of the larger Islamic world, and I have tried to conceptualize the region in this book as a variant of that larger world. In spite of its distance from the eastern provinces, al-Andalus shared with them a common religion and, at least in elite circles, came to share a culture. Many social and political institutions that originated in the east also influenced the Maghrib. Scholars like Richard Bulliet and Hugh Kennedy, who mainly study Islam in the Middle East, include al-Andalus in their research as a unique example of Islamic culture, but one still tied to the heartland. Maribel Fierro, Thomas Glick, Janina Safran, and David Wasserstein, all of whose works are cited throughout this book, place al-Andalus within the context of Islamic culture in the Nile to Oxus region, while recognizing its distinctive qualities. Also important are al-Andalus’s ties with North Africa, a connection that has been particularly emphasized by Muḥammad ʿĪṣā Ḥārīrī, Muḥammad Ḥaqqī, and ʿAbdulwāḥīd Dhanūn Ṭāha.

As in any field, scholars have interpreted the history of al-Andalus in
light of their own societies’ preoccupations. Their approaches depend on their personal and national background, their discipline (the field includes historians, philologists, and archaeologists), and the period in which they lived or live. The history of the field has been analyzed in detail elsewhere and is beyond the scope of this book, but its general trajectory can be traced here.

Most Spanish scholars of the nineteenth and the first half of the twentieth centuries believed there was a stable Spanish Christian identity that, although threatened by the Muslim invasion, survived intact from the Roman period to the present. Two different approaches to that interpretation can be seen in the works of Francisco Javier Simonet (1829–97) and Isidro de las Cagigas (1891–1956), both of whom wrote about Mozarabs (Christians under Muslim rule in al-Andalus), and both of whom saw the Muslim invaders as an alien force that tried unsuccessfully to destroy Spanish Christian culture. Simonet saw Spanish identity as centering on Christianity; for him, the Mozarabs were the preservers of Spanish culture because of their faith and the institutions of the Catholic Church. Christians in al-Andalus, he suggests, were not influenced by the Muslim invaders, but rather the other way around. Arabs never had much original culture, borrowing instead from conquered peoples, particularly Christians. Writing in the mid-twentieth century, Isidro de las Cagigas also imagined a Christian Spanish culture that was buffeted but largely unchanged by the Muslim presence. Unlike Simonet, however, he saw the essence of Spanish identity as secular rather than religious. For him, Mozarab resistance to conversion and acculturation was an early version of Spanish nationalism.

Americo Castro (1885–1972) offers some contrast to Simonet and Cagigas. He too believed in the existence of a Spanish character, but he saw that character as fluid and heavily influenced by contact with Muslims and Jews. Like Simonet and Cagigas, he did not question the idea that peoples have cohesive national identities but saw borrowing among cultures as an enriching process rather than an existential threat. He also complicated earlier ideas about the unchanging character of the Spanish nation, rejecting, for example, claims that Romans and Visigoths in Spain were in some fundamental sense Spanish.

Scholars of the period who were not Spanish present a more mixed picture. The Dutch orientalist Reinhardt Dozy (1820–83), like Simonet, enthusiastically embraced the notion that Arab culture was inferior to that of Christian Europe and offered no contributions to it. Évariste Lévi-Provençal (1894–1956), a French Islamicist, on the other hand, treated al-
Andalus as part of the larger Islamic world, a world he did not see as inferior to Europe. His vast knowledge of the Arabic chroniclers makes his book *Histoire de l’Espagne musulmane* a key resource to the present time. In some ways he was quite different from the Spanish scholars of the period, and from Dozy, since he was not interested in rendering a judgment concerning the good or bad effects on Spain of the Muslim occupation. He did, however, share with his contemporaries and predecessors a focus on government and institutions, although he devotes considerable space to social and cultural history, particularly in volume three of the *Histoire*.

Scholarship in the later twentieth and early twenty-first centuries dropped the preoccupation with nationalism and national character as anachronistic and reconceived Andalusī society as a network of kinship, tribal, and seigniorial structures with an often thin overlay of central government. Pierre Guichard’s work has been particularly important in that respect, focusing as it does on the role of the Arab and Berber tribal system and the relationship of that system to land tenure. Guichard and others, most notably Thomas Glick, have also integrated archeological and anthropological methods with the more traditional text-based methods of history, giving us a better understanding of rural areas and a more nuanced way to talk about the interaction among different religious and ethnic groups.

Another major shift has been away from the history of the state to a more social historical emphasis on relations among different religious and ethnic groups, and between men and women. This is not to say that political history no longer counts; Hugh Kennedy’s *Muslim Spain and Portugal* is an outstanding modern entry in that field. Much of the recent scholarship, however, has moved in the direction of social and cultural history, and particularly the history of group identity. Women, who were largely neglected in an earlier scholarship focused on government and politics, became subjects of in-depth research. Scholars of gender have noted that Andalusī society (if not its formal religious law) recognized the reality of same-sex relationships and alternatives to official Islamic views of gender. How ethnic and religious groups in al-Andalus defined themselves, got along with other groups, failed to get along, and borrowed from each other have become central topics in the field, and is the main focus of this book. The goal of this recent scholarship has been to build up a fine-grained model of a society defined largely by family, tribal, ethnic, and religious affiliations.

To some extent these changes represent the growing sophistication of medieval studies as a field and our improved ability to see premodern societies in their own terms rather than as a mirror of our own concerns. It is
worth noting, though, that in some sense we have just substituted one set of modern preoccupations for another. Scholars writing in the late nineteenth and the first half of the twentieth centuries were naturally concerned with issues of nationalism and national identity, particularly in light of the world wars. In more recent decades, a revived women’s movement, the civil rights movement and the emergence of university Ethnic Studies programs in the United States, and the increasing volume of immigration to Western Europe have all shifted our focus toward group rights and identity. I believe the shift represents a positive change, and that to make sure history remains a relevant discipline we should look to those elements of the past that engage our interest. At the same time, however, we must remember the obvious point that medieval society is not like our own. I have tried throughout this book to emphasize that although Andalusīs cared about group identities, they did not see those identities as we would. And although their society was rigid at times, their perceptions of ethnicity, gender, and religion could also be quite flexible and responsive to new circumstances.

CONTRIBUTION OF THIS STUDY

I see this book as a case study of an Islamic society during a particularly turbulent period of social change. Although my research builds on the work of the other recent scholars of al-Andalus I mention above, it offers some new perspectives on how membership in a particular ethnic or religious group affected people’s lives, how the nature of such identities shifted as one moved farther from the metropole of Córdoba, and the extent to which women participated in or were able to transmit those identities. Muslim chroniclers, and historians writing about al-Andalus, generally identify five main social groups in Andalusī society under the Umayyads: (1) Arab Muslims, who occupied the highest social rank and included the Umayyads and their Arab allies and their clients or mawālī (singular “mawlā); the Arabic term for this elite group as a whole was “al-khāṣṣah,” the special ones. (2) Muslims of Iberian or Berber origin who had become honorary Arabs and part of the khāṣṣah through the study and acquisition of Arabic language and Arab culture. (3) Muwallads, which is a catch-all term for Muslims who were descendants of Iberian converts and whose origins were, among other possibilities, Celto-Roman, Gothic, or Basque. Muslims fell into this category if they had not broken into the “Arab” elite through ties of clientage or by being recognized as distinguished in their education and knowledge of Arabic. (4)
Muslims of Berber origin, most of whose families came from North Africa in the 700s. They, like Iberian Muslims, could gain elite status, but most did not. (5) Dhimmīs, that is, Christians and Jews living under Islamic rule. A few Christians and Jews were part of the court circle in Córdoba, but most, with the muwallads and the majority of Berbers, formed the great mass of subjects, called in Arabic “al-‘āmmah,” the ordinary people, 17 or “al-‘ajam,” those who do not speak Arabic properly. In addition, near the end of the Umayyad period slave troops called ṣaqālibah, mostly from eastern Europe, became a factor in Andalusī politics, and sometimes became regional rulers as Umayyad power collapsed (see chapter 7 and my conclusion).

The sources apply the above categories almost exclusively to men. Of course there were women who were non-Arab Muslims, or who were Jews or Christians living under Muslim rule, but their status had more to do with the identity of the men in their family than with their own attributes; there are for example no recorded cases of non-Arab women who gained honorary Arab status through their scholarship. Women slaves were numerous in al-Andalus, but since they did not fight, none of them could be classified as ṣaqālibah. Women were in many respects not bearers of ethnic or religious identity in Andalusī society.

What is most striking about the society of Umayyad al-Andalus, however, and what this book will argue, is how unstable social categories really were. Being Arab and being Muslim were important sources of prestige for some people, yet the more closely one scrutinizes such categories, the more their meaning collapses. Even gender, the most rigid of the observable social divisions, was ambiguous, as women existed for some purposes within a religious and ethnic group, but were in other ways outside the system of social classification. Identities were fluid and were constantly being negotiated. Non-Arab men could become culturally Arab. The high valuation of Arab and Muslim identity became less important as one moved farther away from the political center at Córdoba; away from Umayyad influence, the categories of Arab Muslim, Berber Muslim, and muwallad, and even of Muslim and Christian, became less clearly defined. Dhimmīs could convert. Women could cross-dress, at least until the authorities ordered them to stop. Some chroniclers portrayed Islamic and Arab identity as related categories, while Islamic law saw them as separate, and indeed as sometimes in conflict: Arab identity called for endogamy (allowing women to marry only within the kin group), male dominance, and pride in one’s ethnic heritage, while Islamic law emphasized the equality of all Muslims regardless of ethnicity, did not support the practice of endogamy or tracing relatedness in the male
line only, and gave women a range of legal rights, including the right to own and bequeath property. The quotation at the beginning of this introduction expresses the ambiguity of the connection between being Arab and being Muslim. The text from which it is taken, the *Jamharah ansāb al-‘arab*, is a collection of Arab genealogies confirming the importance of Arab heritage. The author, Ibn Ḥazm, was, however, primarily a religious scholar, and was uneasy enough with the *Jamharah*’s celebration of Arab blood lines to include that quote from the Prophet Muḥammad emphasizing piety as more important than aristocratic heritage.

The particular circumstances of Iberia and the Muslim settlement there made this instability acute. In the mid-eighth century, the Abbasids in the east were making the transition from rule as an Arab elite to being rulers of a multiethnic Islamic state. Although the Abbasids could claim a close kin relationship with Muhammad and identified as Arabs, they came to power largely with the support of non-Arab Muslims in Iran, and at their court they drew heavily on Persian and Byzantine culture and traditions of rule. By contrast, al-Andalus was dominated by the Umayyads, who had always derived their status largely from Arab identity; they lost control of most of the Islamic Empire in part because they were unable to effect the transition to a more universal Muslim rule. In addition, they had moved into an area with a relatively weak indigenous high culture compared to that of the Abbasid east. Those factors made them cling more strongly to Arab identity than the Abbasids did. At the same time, however, the Umayyads were rulers of an area with relatively limited Arab settlement, with a large Berber population, and, as conversion to Islam accelerated in the mid-800s, with a substantial number of Muslims of Iberian descent. The demographic realities of al-Andalus meant that the Umayyads’ effort to legitimate themselves by claiming to be Arab aristocrats was not really tenable, and indeed by the time of ‘Abd al-Raḥmān III (r. 912–61) they had moved to a more universal, Islamic justification of rule. In the meantime, however, their claims added to the general instability of Andalusī society, as prominent non-Arab families either found strategies to claim Arab identity or directly challenged the right of the Umayyads to rule.

**CULTURAL HISTORY IN THE CONTEXT OF AL-ANDALUS**

To the extent that this study belongs to a particular school of historical research, it represents a form of cultural history.
needs some explanation in the context of al-Andalus. Perhaps the most obvious characteristic of cultural history is that it deemphasizes political and military events, or the operation of economic forces on society, in favor of how people in a particular time and place understood themselves, their society, and the larger world around them. Although it does not ignore events that are focuses of more traditional history like wars or changes of political regime, it seeks to explain how people understood those events rather than to explain their causation. Joyce Appleby et al. give a nice definition of culture as “a society’s repertoire of interpretive mechanisms and value systems” and go on to characterize cultural history as follows:

The historian of culture sought to dig beneath the formal productions of law, literature, science, and art to the codes, clues, hints, gestures, and artifacts through which people communicate their values and their truths.20

That description of culture is adapted from definitions used in anthropology and draws ultimately on Clifford Geertz’s Interpretation of Cultures, in which he describes culture not as a force that determines what happens but as a context in which phenomena can be interpreted. A particular action can be understood only if the observer understands the system of assumptions and symbols that make up the actor’s culture.21 Robert Darnton translates the ideas of Geertz and other anthropologists into a methodology for historians, seeing the cultural historian as an ethnographer of ordinary people:

Where the historian of ideas studies the filiation of formal thought from philosopher to philosopher, the ethnographic historian studies the way ordinary people made sense of the world. He attempts to uncover their cosmology, to show how they organized reality in their minds and expressed it in their behavior.22

This understanding of history carries with it a particular set of assumptions, in part because of its derivation from a case-study approach among anthropologists. One is that cultures are specific and do not necessarily share their symbols or ways of seeing the world with others. Cultural history is therefore not a genre of history that draws broad universal principles of history, of the kind system-builders like Ibn Khaldūn or R. R. Palmer might envisage. The rules I try to abstract for my students in World History
courses—plow agriculture leads to a diminution of women’s status, urbanization contributes to increased warfare—are generalizations that a cultural historian working in a specific time and place could easily take issue with. A related point is that cultural history emphasizes the otherness of the past. Darnton’s *The Great Cat Massacre*, cited above, offers a classic example of “othering” the past, since Darnton’s explicit methodology is to focus on what seems unaccountable to us: “When we cannot get a proverb, or a joke, or a ritual, or a poem, we know we are on to something.” These tendencies toward seeing cultures as unique and playing up the alienness of the past are of course matters of emphasis rather than strict rules. Cultural historians often describe mutual influence among cultures, a common theme in the historiography of al-Andalus, and may draw broad conclusions from their research. It is nonetheless true that the particular and the weird have a large role to play in this type of history.

I say that this book employs a form of cultural history because of the sources available for al-Andalus, particularly in the Umayyad and early Taifa periods. Those sources allow occasional glimpses of day-to-day life, but they are primarily chronicles, collections of religious law, and court literature, in other words products of literate elites rather than of the ordinary people Darnton calls historians to concentrate on. The particular and the weird do manifest themselves from time to time, in an image of a rebel’s head nailed to a city gate or a comment that men in the Umayyad family preferred blond slave girls. Most of the texts I work with, however, are formal rather than anecdotal; and whether they are poetry, chronicles, legal treatises, or works on linguistics, their authors’ focus is on the universal rather than the particular. At the same time, within the restrictions the sources present, I do try to focus on the attitudes and assumptions of whatever level of society I can get to.

In some ways William Bouwsma’s work on early modern Europe has been the most helpful model for me. Bouwsma works on theology and other texts produced by elites, so not the kind of material preferred by cultural historians. He employs the methods of cultural history, however, looking at the mental strategies societies used to make sense of their world. His understanding of culture has also been helpful to me. In his view early modern literate (and to some extent popular) culture was much influenced by two traditions: Greek science and rationalism, on the one hand, and the biblical tradition, on the other. Those two sources are, he believes, quite incompatible, so that early modern culture functioned largely as a set of rationalizations that allowed people to believe two opposite things at the same time.
Certainly the Andalusī authors I study, with their conviction of Arab superiority and their equally strong belief in the equality of all Muslims, provide a good example of what Bouwsma is talking about.

HISTORY OF RELIGION AND AL-ANDALUS

Bouwsma’s work is also relevant to my own in that his main object of study is religion, which he believes is a key avenue for understanding the cultures of premodern societies. This book is also largely concerned with religion as a way of understanding people’s world view. Again, however, I am limited by the sources. Where an early modernist like Darnton would be able to focus on popular religion and ritual, my own study is largely restricted to normative religion, that is, religion as it is expressed in official Islamic law. Chroniclers do occasionally mention scenes of popular piety like the enthusiasm of a crowd for a charismatic preacher, but such anecdotes are unusual. I do have some sources pertaining to the way cases were actually adjudicated in Islamic courts, which show that religious law as it appears on the page and religious law as it was practiced were not exactly the same thing. Texts from Sufis (Muslim mystics) provide a radically different view of what a good Muslim should strive for and see gender as less absolute than the law does. Mystical texts were, however, also the product of literate elites and do not necessarily inform us about popular religion.

Islamic law, or Shari’ah, is one of the major sources for this book, so it might be helpful to characterize it more fully. As is the case with Christianity, the term “Islam” can refer to ritual, practice, and belief, both officially sanctioned and not. Islam, however, is closer to Judaism than to Christianity in that it has an articulated legal system designed to regulate human behavior. The system is derived from the Quran and from the ḥadīths, which are stories about the sayings and deeds of Muḥammad collected in written form in the late eighth and early ninth centuries. The decisions of individual jurists as well as local law and custom also play a role, meaning that there is no single version of Shari’ah. The law covers religious ritual and practice—how you pray, how you fast, what you do on pilgrimage to Mecca—but it also regulates other areas of life. Those areas include family relationships, for example marriage, divorce, and inheritance, as well as commercial interactions and the proper conduct of warfare. A look at the table of contents of any ḥadith collection (again, such collections are major components of Shari’ah)
reveals topics that include bathing, dealing with menstrual periods, prayer, religious festivals, pilgrimage, fasting, sales, rents, mortgages, planting crops, freeing slaves, marriage, divorce, hunting and slaughtering animals, warfare, correct dress, inheritance, and punishments for transgression of the law, among many others.

The law and its concern with orthopraxy, or correct practice, is not of course all that Islam is about; Islam, like Christianity and Judaism, has strong traditions in speculative theology, theosophy, and mysticism. Sharī‘ah, however, is an important part of Islam, and one that is an excellent source for the cultural historian. Islamic law is produced by religious scholars whose major concern is not popular piety, and it represents an ideal rather than a reality. It nonetheless concerns itself with the mundane and the everyday and asks questions that are relevant to a discussion of group identity and gender in al-Andalus: Can a Muslim perform ablutions with water a non-Muslim has touched? To what extent must a woman who is menstruating be excluded from normal social contact? Can a Christian or Jew serve in the army? (The answers are: 1) yes, 2) she cannot have sexual intercourse or go to a mosque, and 3) no, but the rule was rarely enforced.) In spite of its formality, Sharī‘ah can be a source for Appleby et al.’s codes, clues, and hints.

**MAJOR THEMES OF THIS WORK**

*The Articulation of an Arab-Muslim Culture in Córdoba*

The first two chapters describe how the Umayyads came to power in al-Andalus and the elite culture they built around them. That culture identified itself as Arab, but the term did not have a precise meaning. Being Arab was partly a matter of blood, at least in the male line, but was also a matter of culture, and particularly of proficiency in Arabic. It also meant following specific Arab family patterns such as endogamy (marriage within the kin group) and the reckoning of genealogy in the male line. Arab identity also included a tradition of manliness and military prowess, meaning that men were the purest bearers of Arab ethnicity.

The elite identified itself as Muslim as well as Arab, and in the 900s Umayyad rulers claimed the title of caliph. Despite the rhetoric of modern radical Islamist groups like the Islamic State, who claimed in 2014 to have re-established the caliphate as a religious office, caliphs historically were largely
secular rulers who ran affairs of state and military matters with limited reference to Islamic doctrine. They did, however, have a symbolic religious function as head of the ummah, the community of all Muslims, and had the title of amīr al-mu’minīn, or commander of the faithful. When the Umayyads began calling themselves caliphs, therefore, they were naming themselves the rulers of a universal Muslim community, not just rulers of the Arabs. Muslim identity and Arab identity were often at odds with each other, since Shari’ah did not recognize ethnic differences among Muslims and did not particularly favor patrilineal kin or the practice of endogamy.

Jews and Christians in al-Andalus

Chapter 3 looks at the legal and social place of dhimmīs, or non-Muslim monotheists, in al-Andalus. The treatment of dhimmīs was one facet of Islamic society in which theory differed widely from practice. The society that the Muslim armies conquered in 711 was made up overwhelmingly of Christians, with a Jewish minority; conversion to Islam was not well underway until the mid-800s. Probably until the mid-900s the Umayyads ruled over a society that was majority non-Muslim. The Muslim world in the centuries after the conquests worked out a system in which dhimmīs were protected by the state; the word “dhimmah,” the noun that refers to the legal status of non-Muslims, means something like “covenant guaranteeing protection.” Dhimmīs, those subject to the dhimmah, could keep their own religion and had considerable community autonomy. In exchange for those considerations they had to pay a poll tax to which Muslims were not subject, the jizyah. They were prohibited from bearing arms, had to show deference to Muslims in public, and could not serve in government positions that would give them power over Muslims. Non-Muslims therefore had rights and protections, but Islamic law did not give a dhimmī man the full status of “mukallaf,” or legally capable (no woman had that status).

Aside from collection of the jizyah, which premodern Islamic states generally insisted upon, regulations pertaining to dhimmīs probably constituted the part of Shari’ah that was most ignored. In al-Andalus, as elsewhere in the Islamic world, Jews and Christians served in government and the army, and depending on their social status did not always show deference to Muslims. The contrast between the reality and the official theory of their status, however, could put them in danger, as the authorities occasionally invoked the full rules of the dhimmah to bring down powerful Jews and Christians.
Chapter 4 lays out the official Muslim view of women, and of the proper relationship between men and women, as envisaged in scripture and Shari‘ah. My argument in the chapter is that women’s legal status was a version of the dhimmah. Like dhimmī men, Muslim women did not have the status of adults with full legal rights and responsibilities. Instead they received protection from those who were fully legally competent, that is, Muslim men, reflected in a Muslim man’s obligation to present his wife with a dower and to support her financially. In return women were to recognize their subordination to men and show obedience and deference to them. Muslim women, like dhimmis, also had a fair amount of legal autonomy, especially in the area of property. Women controlled their own property in marriage, including the dower from their husband, could bequeath property, and inherited from their husbands and from their own families. Except in rare circumstances they had the right to refuse a marriage arranged by a father or guardian. Free women were not therefore the property of their fathers or husbands, but neither were they fully autonomous individuals.

The first part of chapter 5 discusses how law pertaining to women worked in practice, in marriage contracts and in Shari‘ah court decisions. The sources suggest that the system did uphold women’s rights, particularly their right to property. Later parts of the chapter look at depictions of gender and sexuality in literature and mystical texts. The literature in question was for consumption by elites and does not necessarily tell us about popular perceptions of men and women. It does nonetheless offer an alternative view of gender that is more playful and flexible than anything in Shari‘ah. Mysticism historically offered a greater role to women than normative Islam did; there were a number of famous women Sufis in the middle ages, but no women Shari‘ah court judges. Mystical texts use gender and sexuality as metaphors for the structure of the cosmos and suggest that the feminine side of creation, at least at the symbolic level, is just as positive and indispensable as the masculine side.

Non-Arab Muslims and Their Relationship with the Cordovan Elite

Chapters 6 and 7 look at prominent non-Arab Muslim families, including muwallads and Berbers. Both groups were ambivalent toward the Umayyads, typically oscillating between support for the Cordovan regime and
rebellion against it. The degree and nature of opposition to the Umayyads depended on the family in question and on the family’s geographical proximity to Córdoba. Chapter 6 begins with a discussion of a powerful Berber family who followed the pattern of cooperation with and revolt against the Umayyads. The rest of the chapter is concerned with an uprising led by a local muwallad ruler in southern al-Andalus, ‘Umar Ibn Ḥafṣūn, who seems to have intended to set up an independent state in the south, or possibly to supplant the Umayyads altogether. Although there is a substantial amount of source material for the Ibn Ḥafṣūn revolt, at least compared to sources for most events in al-Andalus, the reasons why a considerable number of people in the region joined the revolt remain difficult to establish. Depending on whose interpretation you read, the uprising had elements of a muwallad protest movement against Arab privilege, a Christian revolt against Islamic rule, and a last attempt by the Visigothic aristocracy to reassert its power. The unrest in the south certainly suggests that people expressed resentment of the Umayyads’ authority using a variety of conceptual frameworks.

Chapter 7 explores a different kind of revolt, by the muwallad family called the Banū Qasī in the far north of al-Andalus. The Banū Qasī probably had Visigothic origins, and although they cooperated sporadically with Umayyad policies, they generally ruled in their region of the north without much reference to Córdoba. Where Ibn Ḥafṣūn wanted a more just relationship between the Arab leadership in Córdoba and regional elites, and may have plotted to overthrow the Cordovan regime, the Banū Qasī primarily wanted to be let alone. The society they presided over in the north was one of fluid religious boundaries, with Muslim and Christian families routinely intermarrying and individuals changing their religious affiliation as convenience dictated. Córdoba’s preoccupations with Arab ethnicity and religious identity do not seem to have been as important on the northern march.

A WORD ON IBN ḤAZM

Because the works of ‘Alī ibn Aḥmad Ibn Ḥazm (994–1064) are a frequent resource for this study, a word on that author is in order. Ibn Ḥazm was from a prominent muwallad family and lived through the transition between the Umayyad period and the Taifa Kingdoms. His father, Aḥmad, was a minister at the court of the later Umayyads; Ibn Ḥazm grew up and was educated at court. During and after the civil war that deposed the Umayyads, he continued to be a strong advocate of their rule and of Arab privi-
lege, often at considerable personal risk; he was imprisoned at least three
times for advocating an Umayyad restoration. He also became one of the
great polymaths of his day, leaving behind an impressive array of treatises on
religious law and a variety of other subjects.

His frequent inclusion in this book is the result of three factors. One
is simply the variety and volume of his work. Although he is best known
in the West for his treatise on love and friendship, ْTawq al-ْhamâmah (The
Dove’s Neck Ring), he also wrote books on genealogy, Islamic jurisprudence,
thology, and Arabic linguistics, as well as a guide to virtuous behavior, and
polemical works attacking Christianity, Judaism, and all variations of Is-
lam of which he disapproved, including Shi‘ism and Sufism. It is impossible
to write a book like this one, focused on Islamic law, relationships among
religious groups, and gender, without encountering Ibn Ḥazm. A second
reason he is such a valuable resource is that while his opinions almost never
became widely accepted, he often provides an interesting counterpoint to
mainstream beliefs. Where most Muslims seem to have accepted Jews and
Christians as fellow People of the Book (monotheists with a scripture), Ibn
Ḥazm condemned all religions other than Islam as mistaken and evil. Where
most grammarians assumed the superiority of Arabic as a language, he saw it
as merely one among a body of interrelated Middle Eastern languages, with
no greater inherent value than any other. Scholars of the Mālikī school of
law, the main branch of Islamic jurisprudence in al-Andalus, characterized
marriage as a contract of sale; Ibn Ḥazm talked about marriage as a con-
sensual coming together of two individuals, not as the sale of a woman to a
man. His often testy critiques of mainstream thought show that there were
within Andalusī culture alternative ways of perceiving the issues this book
explores. It is also refreshingly unpredictable when and if he will take “my”
side in a debate, the side of a liberal modern person. His argument that no
language is superior to any other, for example, sounds remarkably modern,
while the contention that everyone outside his particular religious group is
damned does not.

A final reason for Ibn Ḥazm’s frequent appearances in this book is that
no one better embodies the contradictory, even schizoid, nature of Andalusī
culture. The contradictions begin with his own identity. He was a muwallad,
yet he argued for the virtue of being Arab and went further than most Arabs
would in excluding the unworthy from that category. At the same time, as a
devout Muslim, he believed in the equality of all virtuous believers. He de-
defended Shari‘ah’s limitations on sexual behavior, which restricted the expres-
sion of men’s sexuality to relations with their wives and women slaves. Yet he
himself clearly had relationships that were homoerotic, relationships that he
discusses in the Ṭawq al-ḥamāmah. In one of his later works, on morals and
good behavior, he reports that he struggled mightily with an impulse that
would flood over him and that only the mercy of God allowed him to resist,
possibly hinting of the attraction to men that is more fully articulated in the
Ṭawq.27 He grew up at a court that was cosmopolitan in its inclusion of Jews
and Christians, yet he purported to despise their beliefs. He is an excellent
illustration of Bouwsma’s thesis that culture allows people to hold mutually
incompatible beliefs while never appearing to perceive the conflict.

IS THIS BOOK RELEVANT TO UNDERSTANDING
ISLAM IN THE MODERN WORLD?

As I suggest above, understanding the history of Islamic societies and their
beliefs about gender, ethnicity, and religion can be relevant in the modern
world. There are, however, also compelling reasons not to read the Islamic
world’s past too much into the present. Europeans and Americans see their
own cultures and societies as evolving and as dramatically different from the
past. They perceive the Islamic world, however, meaning in particular the
Middle East, to be comparatively static and unchanging. That attitude is
evidenced by the uptick in Quran sales that happened in the United States
after 9/11, as though reading the Quran would explain the attack on the
World Trade Center and the Pentagon. At a recent discussion group my hus-
band attended, a university colleague said he had read the entire Quran in
order to understand what the Islamic State’s goals were. While it is true that
al-Qaeda and the Islamic State claim their actions are dictated by scripture,
in fact both groups’ reading of scripture is highly selective, and seeking to
understand them by reading a seventh-century sacred text, without knowl-
dege of the modern Middle East and Western imperialism, is not likely to
be effective. It would be equally misguided to say that one could understand
the twentieth-century conflict in Kosovo by reading the Quran and the New
Testament. The relevance of the premodern Islamic world to the modern is
tenuous. There are occasional cultural survivals, just as a version of the medi-
eval English jury trial has survived in Great Britain and the United States; for
example, even in some countries in which Shari’ah is not the basis for most
law, its statutes on family law (mostly meaning law pertaining to women’s
status) are still in use. Other institutions, like the dhimmah, ended in the
nineteenth and twentieth centuries. Perhaps the most important idea to take
away from a history about the Islamic world is that it has a history, and that
its history, like that of Europe or the United States, has some continuities
with and many differences from the present. Another point worth making is
that premodern Islamic societies, with their hierarchy of dominant religious
group over nondominant and men over women, were in many ways similar
to European societies of the same period.