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Are you still my wife? Conversion to Christianity and its legal effects on pre-existing marriages and their offspring in late medieval Castile (1480–1502)

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This article examines the legal and sociological consequences of conversion to Christianity by Muslim and Jewish couples in medieval Castile at the end of the fifteenth century, focusing on the application of legal prescription in legal praxis. The material summarized and analysed sheds light on how Jews and Muslims dealt with conversion to Christianity and the problems it brought to daily life. Broadening the discussion, this article looks at other conversions to Judaism and Islam in order to establish a comparative perspective and show the problems of legal miscegenation at the end of the fifteenth century in Castile. The paper is based on a dozen royal decrees granted by the Royal Council in response to petitions and preserved in the Archivo General of Simancas, as well as various Inquisitorial records. It answers three basic questions: what happens when only one spouse in the couple has converted; who should educate the children; and what happens when the marriage has been contracted but has not been consummated?

Keywords: conversion; marriage; apostasy; medieval Castile; legal hybridization

Baptism and the formal conversion of Jews and Muslims to Christianity was a common practice after 1391, and especially following the proselytizing campaigns of Vicente Ferrer in 1411–1412, until 1492 and 1502 when conversion for both Jews and Muslims became compulsory.¹ This large-scale phenomenon had profound effects on families. Couples that were formally married in their former faith could remarry in the new faith after conversion, or dissolve their previous engagement in order to marry a Christian. From a Christian perspective, intermarriage was strictly forbidden in the legal and theological traditions of late medieval Castile, so becoming formally Christian was strictly necessary in order to cross the cultural barrier and attain a better social position. Both canon law and Castilian civil law shaped the overall background concerning conversion to Christianity and the rules of marriage, paying attention to the ideals to which religious leaders aspired. Nevertheless, without the social and legal praxis it is impossible to understand the realities of interfaith interaction during such periods of social pressure.

Much work has been done on interreligious relationships between the three communities,² but there is little specific information concerning the consequences of conversion to Christianity on converts' pre-existing marriages. Sometimes these new converts remarried another Christian, and these new Christian couples bring into

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question the force of pre-existing marriages: what happens when only one spouse in the couple has converted; who should educate the children; and what happens when the marriage has been contracted but has not been consummated? This article seeks to fill in this gap. It first surveys the normative status of mixed couples in late medieval Castilian law and the ways it was linked to concerns about religious conversion. It then analyzes several legal cases to see how conversion affected mixed marriages in practice. In examining these cases, particular attention is given to the clash of Christian, Jewish, and Islamic norms with regard to mixed marriage and conversion.

There are few records concerning the problem of new marriages following conversion, and it is indeed difficult to justify this scarcity in the Castilian courts. The number of examples of mixed marriages prosecuted in courts of law is exceedingly small when compared, for example, with adultery cases tried in medieval courts.³ All cases, even mixed prosecution between Jews and Muslims, were resolved by Christian authorities. Most of the cases summarized in this essay come from petitions appealed to the Royal Council by their plaintiffs, perhaps as a last resort, and the overall pattern is to recognize the validity of the first marriage once the former spouse embraces Christianity.

The *impedimentum disparis cultis* in late medieval Castile

Medieval canon law expressly prohibited the co-existence of different religions within the same marriage. This idea, articulated in the *Decretum Gratiani*, where the canonist established that “*fideles infidelibus non sunt coniugio sociandi*” (the faithful are not to be joined in marriage to infidels), was based on St Ambrose’s *Book of the Patriarchs*.⁴ The *Decretum* established the basis of the *impedimentum disparis cultis*, derived from the concern that the presence of two faiths in the same household would lead Christians to leave their religion. The topic was discussed by Pope Innocent III (r. 1198–1216) in two important decretals with different interpretations: *In Quanto te* (1199) and *Gaudemus* (1201). The medieval canonist Tancred also deals with *impedimentum disparis cultus* and establishes problems analysed in *Decretum C.28.q.1*. In pre-existing marriages between *infidelis, puta Iudaei vel Sarracenis*, if one of them converts to Christianity while the other continues in their creed, two different situations can arise. If the reluctant party does not want to cohabit and prevents the practice of the Christian faith, this marriage is considered *contumelia creatoris*, and the Christian can break off the marriage and remarry. In cases where the infidel wishes to live with the new Christian, the latter is not obliged to cohabit.⁵

The *impedimentum disparis cultis* and other theological discussions concerning mixed couples were reflected in medieval Castilian legislation, particularly in the *Siete Partidas* compiled under Alfonso X the Wise, which were in force as secondary law in the fifteenth century. This text was considered an adaptation of the *Corpus Iuris Civilis*, and the unprecedented summa of *Ius Commune*.⁶ Despite this compilation being completed circa 1256, the text was not officially sanctioned until its promulgation by Alfonso XI in the *Ordenamiento de Alcalá* (1348), where the *Partidas* were considered as supplementary law to the *Ordenamiento*, regional law codes, *Fueros*, and particularly the *Fuero Real*.⁷ In fact, this compilation was frequently applied and studied in preference to royal law and maintained its position from 1348 through the period of codification that took place in the nineteenth century. Alonso Díaz de Montalvo relied on multiple manuscripts for his extended version of 1491, and Gregorio López subsequently edited different integrated versions in 1555. Finally, it was printed by the Real

Academia de la Historia in 1807.⁸ The *Siete Partidas* deals with several conversions from one creed to another with different legal consequences, but in any case, Alfonso's legislation carefully addresses the debate between the canonists concerning the validity or invalidity of the pre-existing non-Christian marital bond after conversion. He firmly establishes the validity of these unions, which are considered a "sanctified marriage" within their own creed,⁹ for which reason infidels married within the licit degrees of consanguinity cannot be separated after baptism.¹⁰ Using these provisions, King Alfonso X tried to promote conversion to Christianity in order to avoid the "sadness" of leaving their partners.¹¹

The aforementioned legal force of this text in the fifteenth century explains the absence of provisions in relation to the problems of "mixed marriages" derived from forced conversion in the Court Sessions dealing with the issue of contamination and the establishment of social and religious boundaries between 1412 and 1505. These were the Ordinances of Catherine of Lancaster (1412), Cortes de Madrid (1419), Cortes de Valladolid (1420),¹² Sentencia de Medina del Campo (1465),¹³ Cortes de Madrigal (1476), Cortes de Toledo (1480), and Cortes de Toro (1505).¹⁴ These *Leyes de Cortes* contained the general framework limiting Mudéjar and Jewish social and economic interaction with Christians, excluding them from a range of professions, and reinforcing customary habits in order to establish their fundamental difference.

The construction of religious sexual boundaries preventing interfaith sexual relationships are quite clear in Castilian moral literature such as *Castigos y documentos para vivir bien ordenados*, a manual of proper conduct written by Sancho IV for his own son Fernando. He tries to steer his son away from mixed marriage and interfaith sexual intercourse outside of marriage, respectively considered a sin and a disturbing transgression: adultery or *fornicio*. He used, for this purpose, the well-known affair of Alfonso VIII with the Jewess of Toledo, in order to discourage interfaith sexual affairs and prevent political disgraces.¹⁵ The king sought to defend his own son from the same sexual danger that assailed society at large.¹⁶ In any case, the *Castigos* forbid sexual relations with nuns, *mujeres de orden*, married women, virgins, and women from the Muslim and Jewish communities. Whereas in the case of Muslim women, the argument is based on the fact that they belong to another faith – indeed, to sleep with them is similar to sleeping with a dog, because they believe in the law of Muhammad – Jewish women are simply singled out because they belong to the people that spit in the face of Christ.¹⁷

The legal framework of medieval Castilian authorities forbade mixed marriage, but even conversion to Christianity could lead to problems or tensions with their former communities, as well as a clash of legal codes that can be analysed only within the legal praxis itself.

Post-marriage changes of religion in Castilian law and civil legal praxis

Social pressure to convert to Christianity in fifteenth-century Spain was a common phenomenon that caused problems in Jewish and Muslim couples in which one spouse converted to Christianity. How was the pre-existing marriage recognized in such cases?

Many of these individuals converted within the unique fifteenth-century Granada borderlands, which Muslims frequently crossed as either captives or converts. In 1492 a Christian woman from Granada, Beatriz Fernández, went to the Royal Council to denounce her husband, Juan de Loarta, formerly Ali, a convert from Islam who originally came from the Nasrid Kingdom. He had married her three years earlier and they were

living together “practising marital life”,¹⁸ which had yielded them one child. Ali was a Muslim from Granada who ended up settling in Córdoba around 1488; he may have arrived there as a captive and then married after converting. After the fall of the Nasrids, the man decided to move back to Granada, where he married his former partner once she too had converted to Christianity. This is a case of a man who had experienced displacement, and took advantage of new political circumstances in order to return to his homeland and reunite with his former family. The Catholic Monarchs ordered the Corregidor of Granada, Andrés Calderón, to investigate the case and he decided that Juan was Beatriz’s lawful husband, so he should go back to her and her offspring.¹⁹

What, then, is the value of the previous marriage? According to *Las Partidas*, betrothal to a Muslim or Jewish woman is valid if she becomes a Christian.²⁰ Because Juan married his previous wife when both were still Muslims, the betrothal is not recognized, although it could be valid if it took place after the man’s conversion, and the marriage was conditioned on the bride’s conversion to Christianity. In defence of her rights and of the pension she had requested in order to care for her daughter, Beatriz Fernández declared that “she was married to said Juan Loarta first, before that other wife he has now”,²¹ which, in terms of ecclesiastical doctrine, rendered the second marriage null.

This seems to have been a common practice in the territory of former Nasrid Granada. One of the most fascinating cases is that of Francisco Jiménez, whose Islamic name has not been preserved. Two women, María de Castro from Almería and Catalina Jiménez from Granada, appealed to the Catholic Monarchs to validate their marital ties with him. María de Castro’s 1501 appeal to the monarchs suggests there had already been a lengthy legal process to disentangle a complex situation. The document states that:

[M]ore or less two years ago Francisco Jiménez, then a Moor, converted to our Catholic faith. At that time, he said he was married to Bonifaz, and says that because she, his wife, did not want to convert, he went away and left her, and then married said María de Castro. And, while they were wed thus, and living a married life together, Bonifaz converted to Christianity, and says that we, Ferdinand and Isabella, had sent a letter to Francisco Jiménez saying that since Bonifaz had converted to the Catholic faith he should be living with her.²²

Indeed, among the preserved petitions before the Royal Council, there is a prior document wherein Bonifaz, who had converted in Granada and taken the name Catalina Jiménez, asks the Catholic Monarchs to recognize the validity of her marriage following her conversion to Christianity.²³

Once the situation was brought to the attention of the Corregidor, he called on María de Castro, showing her the letter and telling her that “said Francisco Jiménez had committed a grave crime by marrying twice while his wife was alive, and had fallen into and perpetrated many criminal offences.”²⁴ In order to spare Francisco Jiménez from being punished, his second wife fearfully replied to the Corregidor that she was not married (“non era casada”). The Corregidor then took a habit, a cloak and other articles of clothing, as well as a silver frame and other items amounting to 10,000 maravedis, since if she was not married then it was she who had committed the crime of being a married man’s mistress (“manceba de casado”). After unsuccessfully asking the Corregidor to return her clothes several times, she appealed to the Royal Council, citing her own good faith in contracting marriage with Jiménez, insofar as at the time she married him, “he had been separated from said woman because she did not want to convert.”²⁵ The king and queen then ordered that the clothes be returned to her, free of charge.

As for Bonifaz, converted as Catalina Jiménez, she had filed her own petition before the Royal Council a year earlier, in 1500. She provided in her claim a different timeline for her conversion, arguing that she and Francisco had already converted together already in Granada.²⁶ Thus, in accordance with canon and civil doctrine, her marriage remained in force, which is why the monarchs had ordered Francisco to go back to her.

Could Bonifaz's conversion then have any retroactive impact on Francisco's marriage to María? According to the *Siete Partidas*, the marriage between María and Francisco was valid and indissoluble.²⁷ The indissolubility of the marital bond flows from love, so the everlasting bond is expressed in loyalty, the continuity of the lineage, and the spread of the species giving glory to God.²⁸ According to this provision, María and Francisco were formally married. However, Francisco was a Christian convert who was previously married under Muslim law, and since it later came to light that Catalina Jiménez had converted in parallel, in accordance with Christian law their prior marriage was still valid. According to the decretal *In Quanto te*, the Muslim marriage was formally valid but not indissoluble; it could be dissolved so that the converted could remarry.²⁹ *Las Partidas* echoed the *Decretum's* prescriptions that the convert was allowed to live with his/her partner and break the marriage contract in two cases: if the reluctant spouse remained within the Muslim and Jewish faith and did not want to live with the Christian; and when the non-believer offended the faith of Christ. This situation leads to spiritual adultery, *Contumelia creatoris*.³⁰

In this case, the petition argued by Bonifaz/Catalina Jiménez had a retroactive impact on Francisco's marriage to María, changing the validity of her marriage. As we have seen, in the inquiries carried out by the Corregidor of Almería, upon learning of the actual status of the marriage, and fearful of the potential punishment, she stated she was not married but merely his mistress. This led the Corregidor to seize property amounting to the corresponding fine, and led her to seek justice from the monarchs.

If both marriages could be deemed valid, could Francisco be prosecuted for bigamy? As we have seen, the document in question is quite clear, referring to Jiménez's second marriage as a "grave crime" engendering "many criminal offences".³¹ Officially, the man could be prosecuted for bigamy and severely punished with 200 lashes and permanent exile,³² but considering the specific situation of the Nasrid frontier and María de Castro's claim, in this case the man was not prosecuted, just ordered to return to Catalina Jiménez.

As mentioned earlier, these cases occurred in the specific context of the Granada frontier in the late fifteenth century, at a time when there was a great deal of social and religious mobility. Our understanding of the social norms and the process of conversion and assimilation along the frontier in the years leading up to the fall of Granada is steadily improving. There was an agreed-upon *fuero de frontera* or "frontier jurisdiction" in charge of defining the relations between the populations situated on either side of the border, allowing for the free trafficking of goods and people, including religious conversion without reprisals.³³ This unique situation was then to continue even after the Conquest, as we can observe in this group of cases. In them, we have seen how after the fall of the Nasrids these men went back "home" to their former wives, who had since been converted. They were aware of the rhetorical resources at their disposal, and appealed to the final link in the chain of justice in order to reclaim their former marriages. There were multiple reasons these converts had chosen to marry their "second wives", from upward social mobility to assimilation into their new communities after becoming displaced. It is tempting to interpret such "double marriages" as a practice related to Muslim identity and the inability to relinquish Islamic marriage customs. However, as suggestive as this hypothesis may be, the practice is by no

means exclusive to converts from Islam to Christianity, as in the same Registro General del Sello we find multiple petitions against Christian bigamists.³⁴ In any case, it is true that bigamy is perceived differently in Christian and Islamic contexts. In fact, the *Leyes de Moros* permitted a Muslim man to marry two women (usually his servant and a free woman). In these cases, he should spend one day with the servant and two with the free woman.³⁵ What happens when this man converts? Which of them can be recognized as his wife? Martín Pérez in his *Manual for Confessors* gave the answer: only the first woman can be considered as the real wife. If he marries two women at the same time, neither can be recognized as his wife, except if one of the women is a blood relative, including mother, mother-in-law, sister, daughter, aunt, father's sister, mother's sister, sister-in-law, or daughter-in-law. In these cases, the woman without consanguinity can be recognized as his wife.³⁶

Interestingly, cases of second marriages involving Christian converts from Judaism are relatively infrequent. Isolated and vague allusions to such marriages sometimes come up in testimony before the Inquisition, but it is important to bear in mind the distortions inherent to such accounts.³⁷ In Toledo in 1492 the Inquisitional court heard a case involving a convert, Juan Ačan, who was a shoemaker in Soria. Friar Miguel de Rueda, who had lived in the same house as he did before becoming a Franciscan, testified that Juan married a Converso woman in Segura while he was married to a Christian woman from Vizcaya in Soria. Miguel de Rueda details how they went together to visit Juan's Jewish family in the south of Spain, and how Juan spent time with them, even getting married under a chuppah to a Jewish woman who had converted to Christianity when he was already married. The witness declared that they lived together, sharing the same practices and dietary prescriptions. Finally, he left this woman and went back to Soria where he continued to live with his first wife.³⁸ Nothing happened to Juan, as at the time of prosecution he had already been dead for several years, and we do not know if in the long term he had continued with this double life or not. It is not possible to know the truth of the facts, nor if the declaration were a way to prove the fidelity to the Christian faith of the Franciscan involved in the declaration accusing his former neighbour of crypto-Judaism.

If the content of the statement were real, this case could be an example of how reality overruled the former Jewish prescriptions: even though Juan's conversion to Christianity forced him to break off his relationship with his former Jewish family in order to avoid contamination, he came back to them without being rejected for being a new Christian, an apostate, and he married a Jewish woman also converted to Christianity. This second marriage would be void under the Christian law, but proves that it was really difficult to break the ancient family ties: the strength of the emotional community was even stronger than the Jewish law, so they accepted Juan d'Ačan sharing life and practices with them.

For Jewish law, the outstanding issue here is the value of conversion: does the convert remain Jewish or not in the eyes of the community? In the fifteenth century, some Jewish prescriptive traditions understood conversion as a form of idolatry. In this view, conversion to Christianity caused the total erasure of the person's Jewish identity, whereby conversion through baptism, as an act of idolatry, entailed being expelled from the Jewish community. In the Commentary on Proverbs 2:17, idolatry is associated with Christianity through the practice of drinking wine:

Idolatry drives [men] to talk about adultery, and adultery drives them to drink wine, and drinking wine leads to the destruction of the soul, so that in the same way that this woman abandons the companion of her youth, who is her husband, so heretics abandon the companion of their youth, which is God.³⁹

However, this was not a uniform position throughout the Iberian peninsula. Rabbi R. Sa'adia ben Danan, who lived in Granada in the second half of the fifteenth century, wrote a *responsum* addressed to the Jews of Málaga defending the converts, in which he pointed out the difference between an apostate and a forced convert, concluding that the Conversos remained children of Israel.⁴⁰ The same opinion is supported by other rabbis from the same period, such as Simeon ben Zemah Duran from Mallorca. The presence of the Conversos in Spain is not proof of their true conversion to Christianity, as this act is an internal secret of their hearts that cannot be proven. In any case, it is “better to live for the principles than to die for them”, and thus Simeon ben Zemah Duran considers the Conversos to be children of Israel unless it can be proven that they behave like true Christians. According to this rabbi there is no difference between a child of Israel and a Converso, meaning his marriage is valid if the witnesses are Jews. However, if the witnesses are themselves Conversos, the marriage should be considered void.⁴¹ This consideration strengthens the validity of the second marriage between Juan Ačan and his second wife. When dealing with conversion, if a Jewish man converted to Christianity the marriage remained in force, hence he was allowed to remain with the Christian party, although it was recommended that women should leave their husbands, and in the words of Shelomo ben Adret, the Jewish spouse should flee the convert at once, as if he were a snake, “in order to avoid giving birth to a child of violence”, since the child would be educated in the law of the father.⁴² The same statement was argued in Maimonides’ compilation about marriage, *Hilkot ishut* of the *Mishneh Torah*, where if the betrothal is made by a Jewish apostate it is invalid, but the woman requires the bill of repudiation to renounce it.⁴³

Juan de Ačan’s case is not the only recorded instance of former Jews maintaining ties with their original families. A similar case is that of María Álvarez, accused by the Holy Office of practising crypto-Judaism, with the difference that she never acknowledged any direct relationship with her former husband. After converting to Christianity, María left her family and remarried with a Christian silversmith, Fernando Cuéllar. Despite her Jewish marriage being dissolved and beginning a new life, she did not separate completely from her former roots. Likewise, she could not fully integrate into Christian social practices and preserved some Jewish expressions and dietary norms, such as observing the Sabbath by lighting candles, as elements of her own personality and hybrid identity. All these practices triggered tension and violence between the couple and sometimes Fernando Cuéllar beat her to avoid social criticism and to protect the woman from their Old Christian neighbours and possible prosecution at the hands of the Inquisition. This is how she described her situation to the Inquisition in her trial in 1492:

There were some differences between my [former] husband and I, which is why I converted to Christianity and left my husband and children. I converted approximately ten years ago, and after my conversion I had some inner doubts about my Faith, and for this reason my new husband beat me. Look now, Sirs, the reasons I converted and left my house, my children and my honour, for this act I deserve this evil man and those wooden saints that are in that church. Likewise, I secretly saw my Jewish children without my husband’s permission. I have sent them some money and other things. I was ordered to bring my young daughter home, and she remained with me for several days, and then I sent her to my relative’s house, and I later looked for a teacher who was entrusted with her education, and during this time I gave her everything she needed.⁴⁴

María Álvarez was a model of the crypto-Jewish woman in Castile. Even after conversion to Christianity she maintained clandestine ties with her former family and practices,

but was by no means an isolated case. Many “conversas” acted with great courage and commitment to perpetuate their religious heritage.⁴⁵ She was, moreover, not the only one to suffer abuse and domestic violence because of her Jewish practices.⁴⁶ Through the lens of Castilian Christian law, María Álvarez was formally married to Juan Cuéllar, and we do not know the reason for her conversion. Nevertheless, they sometimes converted due to fear of death and persecution. For these cases Rabbi Aier ben Yebi’el set forth in his *responsa* the possibility of repentance after conversion, so they could come back to their former religion and preserve their first marriage and their rights established in the *kettubah*.⁴⁷

A change of religion also had legal consequences for inheritance. In 1497 Álvaro de Segovia sued his wife’s Muslim family in order to obtain the inheritance to which she was entitled: his wife had converted to Christianity and then married him as a Christian.⁴⁸ According to Muslim law, inheritance “for women is a share of what the parents and close relatives leave, be it little or much – an obligatory share”.⁴⁹ However, her apostasy left her outside the community,⁵⁰ barring her from inheritance. According to the *Leyes de Moros* it was forbidden for Christians to inherit from Muslims and vice versa, meaning that the renegades who had become Christians, as well as their descendants, could not inherit their own family properties.⁵¹ Similar prescriptions were established in the *Breviario Sunni* in which Yça de Gebir does not allow Muslims to inherit from an infidel, and neither can infidels inherit from a Muslim, except in the case of false conversion.⁵² According to Muslim law, if a married Muslim man converted to Christianity, his previous Muslim family preserved their right of inheritance. These prescriptions clash with the Castilian rules stating that the inheritance should be passed on to the Christian descendants. However, there are cases of converts from the Mudéjar community of Toledo whose properties could not be passed on to their Christian families, evidence of the permeability of the judicial praxis. The records show that even after conversion, new Christian families lost their rights to inherit: Don Fodox had Christian daughters who could not inherit property from their father; the same was the case for Doña Marioca’s Christian daughters, Inés Alfonso and Leonor López. There are also the cases of Aparicio, a plasterer and son of master Abdala, and Diego Ali, a cutler and the son of master Ali, who lost their right of inheritance.⁵³ Theoretically, new Christians should be under Christian law and their properties should be passed on to their Christian families, but the judge resolving these cases knew the Castilian rules, and probably the sharia rules that reflected exactly the same prescription. In cases where one of the Christian spouses converted to Islam or Judaism, the inheritance, dowry, and matrimonial assets were to go to the Christian descendants.⁵⁴ Therefore, both Muslims and Christians had regulations protecting the estates of their subjects, protecting the rights of their former families before conversion. The protective Muslim law concerning inheritance provoked overt tension in Granada’s border area at the end of the fifteenth century, as this law clashed with Christian canons prescribing that, once converted, their new descendants should inherit their properties. In this case, the Catholic Monarchs ordered in 1499 that all the Muslims who had become Christians should preserve their right of inheritance, as a measure for implementing conversion.⁵⁵

Similar rules were applied in the Jewish tradition in medieval Spain. During the mid-fourteenth century, Rabbi Asher ben Yechiel Aier ben Yebi’el was asked to resolve a case of a Converso who gave his father’s inheritance to his mother. When he died, his Jewish mother and her Christian daughter claimed the inheritance. The rabbi answered with a biblical metaphor, “the inheritance shall not be passed on”, from Numbers 36:9, “so no

inheritance shall be transferred from one tribe to another; for each of the tribes of the people of Israel shall hold onto its own inheritance” (ESV), meaning that the inheritance should remain within the Jewish family.⁵⁶

Through the looking glass: conversions and mixed marriage along the Jewish–Muslim axis viewed from Christian eyes

Medieval Castilian justice dealt with other religious migrations, such as Muslims becoming Jews and Jews becoming Muslims, but this was not a dialogue that was exclusive to Jewish and Muslim communities. Rather, it was a triangular relationship where Christian judges were responsible for resolving the dispute.⁵⁷ A comparison between these migrations and the foregoing cases of conversion to Christianity will provide us with an opportunity to analyse the hierarchy of norms applied in conflict resolution. For Jewish and Muslim legal codes, conversion to another religion is considered apostasy, for which the legal consequence is death. Nevertheless, the charge in both cases under the Christian authorities was bigamy, with conversion to another faith as an aggravating factor. In both Muslim and Jewish cases the Christian judges applied the same solution: the conversion and subsequent marriage were made void, and the defendants were required to return to their former communities. According to Christian case law, this was the common solution for the crime of bigamy, and even Muslim Castilian law was reshaped to forbid interreligious marriage, under the influence of Christian law and legal praxis, in order to avoid conflict in late medieval Iberia.

Cases involving Jewish women who converted to Islam are rare, happening mostly in frontier areas in instances where Jewish women were captured by raiders and taken to a Muslim land, where they converted and sometimes married a Muslim. Despite their rarity, some records can be found. In November 1489 the Catholic Monarchs ordered the judge of Soria to resolve a dispute between the Jewish *aljama* of Soria and the *aljama* of Burgos. The trial involved a married Jewish woman from Soria, Marien, who converted to Islam in the *aljama* of Burgos with the support of Ibrahim Caballete, whom she then married.⁵⁸ It is possible that she fell in love with this Muslim man and subsequently decided to convert in order to obtain a formal marriage under Muslim law. However, her Jewish husband had not given her the bill of repudiation, and since their marriage still held, she was accused of adultery. Even though the final verdict has not been recorded, this case of Jewish–Muslim conversion must have been resolved by the judge of Soria.

At the end of the fifteenth century, the Catholic Monarchs standardized legislation and applied the same punishments as those applied to Muslim–Jewish conversion.⁵⁹ The judge of Soria probably resolved that Jews were not allowed to become Muslims and these cases should be resolved in the same way as those concerning Muslims who became Jews.

The case must have drawn some strong reactions from within the Jewish community. The Torah rules that a Jew who turns to another religion is an apostate, so according to the Babylonian Talmud she could be considered “a pleasure-seeking apostate” (*meshumad le-te'avon*),⁶⁰ whereby she should be cut off from her Jewish community. Problems of miscegenation have been a constant for Judaism; they were forbidden in Deut. 7:3, which commands: “Do not intermarry with them [...]” In fact, Maimonides argued that marriage between a Jewish man and a gentile woman or a maidservant was not just forbidden but altogether invalid, meaning the woman retained the status she had prior to

the marriage ceremony. Likewise, a pronouncement of marriage between a Jewish woman and a gentile man or servant was equally invalid.⁶¹

Formerly, apostasy was punishable by death, a penalty that was indeed applied in medieval Iberia, as David Romano has demonstrated in his analysis of several cases concerning the late thirteenth-century Crown of Aragon.⁶² Despite the fact that Jewish laws punished sexual miscegenation with the death penalty, Jewish men and women both had sexual relations with Christians and Muslims. Notwithstanding, the official punishment, even for those found guilty through trial, usually consisted of heavy monetary fines, rather than execution as required by religious law.⁶³ When dealing with the adultery of Jewish women with Christian or Muslim men, punishments were particularly severe. For instance, in 1320 a *responsum* authored by Rabbi Asher ben Yechiel addressed a case of a Jewish widow who had sexual intercourse with a Muslim man and conceived two children. She was sentenced to have her nose cut off and ordered to pay a fine to the Christian authorities.⁶⁴

According to the *Leyes de Moros*, if a woman were persuaded to convert to Islam by a Muslim man and he married her, she did not need an *algali*, or a relative who acts as best man and gives the bride to her husband, in order for the *alcaide* to marry her.⁶⁵ But Marien was a married woman, and the treatise established a different approach for married people who converted. In those cases, if a married Christian man leaves his wife and then converts to Islam, and the marriage has not been formally dissolved, “the marriage is not over; rather, they are united in marriage and he cannot leave her.”⁶⁶ As such, according to Muslim law she should go back to her Jewish husband. With regard to Muslim men in classical Maliki Law, there was no ban on interreligious marriage, but this statement was amended in the late fourteenth century by the Castilian *Breviario Sunni*. Hence, Yça de Gebir, a religious authority in the Mudéjar community of Segovia, established the sexual boundaries in Muslim marriages for men and women alike: “Neither women nor men shall sleep with nor marry infidels.”⁶⁷ Thus, according to this interpretation of Islamic law, such a marriage was void, as the woman was still married and therefore could not marry a non-Muslim. Jewish rabbis, Christian theologians, and Muslim jurists blocked the women in their communities from engaging in inter-religious sexual intercourse, but the dynamics of anti-Jewish polemics infused Islamic law with new religious anxieties in mid-fifteenth-century Castile.

Indeed, the member of the Royal Council and the judge of Soria must have known about the *Disputatio de Talavera*, a case that can shed some light on this problem. It was one of the most prominent sexual scandals in Castile, and has recently been analysed in depth by scholars such as David Nirenberg and Ana Echevarría.⁶⁸ The case concerns a Jewish man, referred to as Yuda in the sources, who allegedly kidnapped a young unnamed Muslim girl from her parents’ house and had sexual intercourse with her before she converted to Judaism. The case caused a great deal of discussion between the Jewish community, the prior of Santa Catalina, the dean of Talavera, and the canon Fernando Alonso. The trial was conducted by the archbishop of Toledo, Alfonso Carrillo de Acuña (1445–1482), who had serious doubts about his authority to preside over the case. As such, he requested a legal opinion from Alfonso de Madrigal, the bishop of Ávila, considered one of the most important experts in canon law trained at the University of Salamanca, and who wrote his *Responsio in questione de muliere sarracena transeúnte ad statum et ritum Iudaicum*.⁶⁹ In it, he deals with several questions: was it licit for someone to change faith? Should it be permitted by Christianity? What should the penalties for both the convert and the instigator be? Should it be the Jewish community,

which is considered responsible for accepting the converted girl? Should they be punished? By virtue of which law should this conversion be punished and prohibited in the future, and how should Christians be involved in these events? After developing a lengthy thesis concerning the case, he establishes that the conversion cannot be allowed – the girl should return to the creed into which she was born, the Jew who instigated the conversion should be punished, and the Jewish community should pay a fine. This decision took into account the claim of the Mudéjar community which, despite the transgression of apostasy, preferred the reintegration of the woman into her former community.

This case acted as a legal precedent in the late medieval Castilian courts, and explains the answer given by the judge in Soria concerning Marien's conversion to Islam. Her conversion was deemed unlawful, and the same penalty should be applied as for those cases of Muslims who converted to Judaism. The case is a perfect mirror of the *Disputatio de Talavera*, as Marien, a Jew, was similarly convinced to convert by her Muslim lover. Therefore, it was decided that she should be absolved but asked to return to Judaism; the instigator should pay a fine or be banished, and the Muslim community should also pay a fine, this being the simplest compromise to restore order in society.

In both cases, gender worked in the women's favour, as they were found innocent based on the fact that they had been persuaded to convert, meaning they were required to go back to their former communities and embrace their old faiths, but nevertheless avoided harsher punishment.⁷⁰

Fathers, children, and conversion: are you still my son?

Regarding the offspring of interreligious couples, there is a complex panorama depending on the religion of their parents and their social position. From the Christian perspective mixed marriages are absent from the conversation, but this does not mean that interfaith sexual mixing and the subsequent offspring did not exist; rather, relationships between Christian lords and their Muslim female slaves were quite frequent. In such cases, the children belonged to the same religion as their mother, and as such became servants themselves. The laws of Cuenca (1177) stated that the child should remain as a servant with his mother until his father recognized him, at which point he would become free and could inherit. If, on the contrary, the father did not recognize his child, the owner of the female slave could apparently profit from any offspring born in his house who constituted part of his property.⁷¹ On the other hand, Alfonsine legislation, which was hardly influenced by canon law, held that the child should remain with his Christian father. According to the *Decretum*, those who were born to a Jewish woman and a Christian man were to follow the Christian religion, not "the Jewish superstition", a statement which was set forth in the *Fuero Real*.⁷²

But what happened to the children born into the Muslim or Jewish faith once one of their parents converted to Christianity? Both Jewish and Muslim communities tried to keep the children in their former community, and the marriage contract could be dissolved, though this does not involve the faith of the offspring. The case of María Álvarez is quite telling in this respect; although she converted to Christianity, left her former family, and married a new Christian husband, she maintained close ties with her Jewish daughter.⁷³

In other cases, Muslim converts to Christianity were separated from their offspring who had remained Muslims. Could they sue to have their children converted in order to

prevent them from becoming enslaved? Captivity was a common practice in the Granada border area in the fifteenth century, which was a territory with its own dynamics and way of life. There, conversion was a strategy in order to survive in an extremely complex political context. Christians could not be made captive or enslaved by their own co-religionists, as we see in the case of “María la Canaria”, bought as a slave by Alonso de Villarreal from Seville. When he discovered she was a Christian, he asked García Fernández Manrique, Corregidor of Málaga, to formally declare she was a free woman so that he could recover his money.⁷⁴ Free Muslims were aware of this reality, and in some cases converted in order to protect their families. In any case the conversion of Muslims under captivity led them to freedom.

Conversion to Christianity became a strategy used by free converts in order to reunify their broken families and to integrate with Old Christians, since after converting they gained a better position in society and greater freedom of mobility.

There are some cases in the Archivo General of Simancas that shed light on this subject. In August 1500 a woman named Magdalena appealed to the Royal Council to ransom her son, who was being held captive by Juan de Atora in Écija,⁷⁵ and a few months later the authorities ordered his release, stating that if his mother were a Christian then the boy should be brought up under Christian law.⁷⁶ In 1490 the Catholic Monarchs ordered the Corregidor of Murcia, Juan Pérez de Barradas, to investigate a case brought before the Royal Council by former Muslim Pedro de Murcia. He had converted to Christianity several years prior with one of his sons, and was petitioning to convert his other son and his daughter, who were living as slaves at the border.⁷⁷ Before his own conversion, De Murcia had sold the 12-year-old boy to the Christian army and given the girl to a Muslim man. When the children’s Muslim relatives in Ricote learned of De Murcia’s intention to convert the children, they took them captive, which in fact was a very common situation along the Granada frontier at the end of the fifteenth century.⁷⁸ Pedro wanted to take back his children from their Muslim family in Ricote, who wished to preserve their Islamic faith. A similar case was brought forth by Fernán Jiménez, a convert from Granada who rescued his Muslim wife, taken captive by Diego Fernández de Córdoba, from Málaga. After paying the ransom he discovered that Leonor’s former owner had got her pregnant, and so asked for a monetary compensation.⁷⁹

Nevertheless, these strategies had their limits and, especially starting in 1502 after the compulsory conversion of Muslims,⁸⁰ many Christian authorities sought to safeguard the faith of the New Christians, and in particular the youngest of the Moriscos. Even after converting to Christianity, parents were not allowed to raise their own children. In 1502 the authorities tried to preserve the Christian faith with special preaching campaigns, which Queen Isabel directed in particular at Hornachos, one of the largest Mudéjar communities in Castile.⁸¹ In order to avoid the religious “contamination” of the children, it was ordered that they be taken away from their reluctantly Christian parents, who had tried to escape to North Africa before converting. The children were moved to Mérida, where they lived in a house of instruction called *mesón de los moros de Hornachos*, and were then handed over to pious Old Christian families charged with their instruction. Nevertheless, this ingenious system for preserving the young converts from the influence of Islam was not exactly applied in the proper terms. In 1505 King Fernando inquired about the conditions of these children, who, despite being nominally free persons, lived as servants in their host homes, and in some cases were even sold as captives by their adoptive parents.⁸²

Even without their consent, these children were formally baptized and became members of Christendom. In *Maiores Ecclesia* (1201) Innocent III established the validity of forced conversion.⁸³ He discussed forced baptism when there was no explicit consent from the neophyte, mostly concerning children and the mentally ill. For all these cases he applied the theory of positive silence, arguing that if someone had protested throughout the rite, this meant they were unwilling and so had not actually received the sacrament. On the contrary, if the person had not protested during the rite itself, they were understood to have passively accepted this baptism under duress, making it valid. *Maiores* became the basis for subsequent ecclesiastical legislation concerning forced baptism.

Christian efforts to convert Muslims had long targeted their children, who they hoped would grow up to become a new generation of loyal Christian subjects. Officials could treat young children as potential hostages whom they could take away from parents who resisted Christianization. This measure was based on Gratian's provision concerning baptism, *perfidia parentum filiis obesse non debet. Item ex Concilio Tolletano IV.*⁸⁴ Gratian even held that the sons or daughters of Jews should be separated from their parents' society and allocated either to monasteries or to Christian men and God-fearing women, lest they become further enveloped by their parents' error,⁸⁵ a position also defended by John Duns Scotus and Francesc Eiximenis.⁸⁶ The case of the conversion of these Muslim children shows the concerns and tensions of late medieval Castilian society reflected in theological polemics and narratives of hate, opposed to the generally accepted Christian theory of baptism that involves a substantive change in the nature of the convert, who becomes a new creature in the image of Christ (Rm 6:1–14:22).

Rethinking narratives of conversion in fifteenth-century Castile

Love and marriage in medieval Castile were shaped by legal and social norms that established a particular framework in which conversion to Christianity was one of the most salient objectives of the Catholic Monarchs. Granada was the last Muslim stronghold in the Iberian peninsula, the site of both material and territorial combat. The prevailing social context imbued with hatred and fear led to large-scale conversion even before the compulsory decrees finally forced all Muslims and Jews to convert to Christianity. These earlier "willing" conversions can be read in a variety of ways. First, conversion breaks the boundaries of sex and marriage, providing a formal path to cross over the lines of unlawful interreligious marriage, changing an illicit act into a licit one. Likewise, it was an ideal system to avoid the social pressures of being Jewish or Muslim, which involved living under constant suspicion. Moreover, conversion involved a change of loyalties with civil and religious consequences. Within their birth communities these converts were perceived as apostates according to Muslim and Jewish jurists, and so were expelled from them. The problem of apostasy touches directly upon the very foundations of religious communities, whose institutions and identities were highly, if not exclusively, dependent on the loyalty of their members.⁸⁷

Most of the cases we have analysed come from petitions appealed to the Royal Council by their claimants, in order to recognize the force of the first marriage. Some of the cases discussed in this study seem to demonstrate how this legal tradition, which on the one hand encouraged conversion and on the other saw marriage as sacred, entailed inherent tensions that could be used strategically in marital disputes. While the conversion of one spouse to Christianity enabled this person to remarry with a Christian,

this second marriage might be rendered void if the former spouse came to embrace Christianity. Some of the examples analysed in this chapter suggest that men and women could sometimes appropriate this principle to their advantage. For instance, the case of Bonifaz, who used her conversion to Christianity to argue that her husband – who had left her after his conversion – now had renewed obligations towards her.

In the summarized examples, we can also see a common pattern for Muslim men who converted to Christianity and married Christian women: they went back to their previous spouses or brides after the conquest of Granada, once their former wives had converted to Christianity. The only case analysed here of a Jewish man, Juan d'Açan, is drawn from testimony before the Holy Office indicating his ties with his former Jewish family: he converted and married a Christian woman, but he was accused of visiting his Jewish family and getting married to a *conversa*. It is unclear from the record whether she was his former wife. In these cases, a system of solidarity between them and their Jewish or Muslim families was commonly accepted, with individuals seeking to return to their former community; even if we cannot draw a general panorama from these cases, at least they provide some examples that shed light on the situation.

Likewise, the cases analysed prove that conversion did not mean total assimilation, despite the formal and legal boundaries that compelled converts to break with their roots. The problem of inheritance in mixed marriages in Muslim, Jewish, and Christian law was solved by protecting the rights of their former families, but Christian judges who had to consider the rights of the new Christian families also respected the laws of their former communities.

Moreover, at the end of the fifteenth century, we observe that other spiritual migrations to Islam or Judaism were perceived as a menace to Christian society.⁸⁸ This social stress and religious anxiety led Christian authorities to treat Muslim–Jewish and Jewish–Muslim conversion in the same terms. In both cases it was decided that conversion should not be allowed, as there was only one true conversion: to Christianity, the one true faith. The only two possibilities for Jewish or Muslim women who had converted to Islam or Judaism, respectively, was to go back to their old communities or else convert to Christianity.

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Notes

1. Nirenberg, “Une société face à l’altérité”, 755–90; Poutrin, *Convertir les musulmans*, 67–75.
2. Barton, *Conquerors, Brides, and Concubines*; Fernández-Viagas Escudero, “Las relaciones sexuales ...”, 269–308; Brundage, *Love, Sex and Marriage*; Echevarría, “Better Muslim or Jew?”, 63–78; Nirenberg, *Neighbouring Faiths*, 35–143.
3. Córdoba la Llave, “Adulterio, sexo y violencia en la Castilla medieval”, 153–84.

4. *Decretum*, C. 28, q. 1, c. 15, 1088.
5. Tancred, *Summa de Matrimonio*, Title 21, 44–5.
6. Masferrer, “The Siete Partidas”, 107; García García, “El derecho común en Castilla”, 45–74.
7. Alfonso XI, *El Ordenamiento de Leyes*, Título XVII, 2, 35–6.
8. Alfonso X, *Las siete Partidas del Rey Don Alfonso el Sabio*.
9. Alfonso X, *Siete Partidas*, Partida IV, 6,6, 35–6.
10. *Siete Partidas*, Partida IV, 6,6, 35–6, *Decretals, Liber Extra*, 4.14.4, 702, De infidelibus ad fidem conversi. Super hoc igitur devotioni vestrae duximus respondendum quod matrimonium sic ante conversionem contractum, non est post baptismi lavacrum separandum; cum a Judaeis Dominus requisitus, si licet uxorem ex qualicumque causa relinquere, ipsis responderit: Quod Deus conjunxit, homo non separet (Matth. XIX, 6), per hoc innuens esse matrimonium inter eos.
11. *Partidas*, IV. 6. 4, “*el pesar que avrien de se partir de sus mogieres*”, 32–3.
12. “Cortes de Madrid, 1419”, Cortes de Valladolid, 1420, *Cortes de los Antiguos Reinos*, vol. III, 10–30.
13. Pérez Bustamante and Calderón Ortega, *Enrique IV*, 176.
14. “Cortes de Madrigal 1476”, “Cortes de Toledo 1480”, “Cortes de Toro 1505”, *Cortes de los Antiguos Reinos* vol. IV, 1–219.
15. Nirenberg, “Neighboring Faiths”, 56–73.
16. Nirenberg, “Conversion, Sex and Segregation”, 1065–93.
17. Sancho IV, *Castigos y documentos*, Capítulo XXI, 127, 165.
18. “practicando vida maridable”.
19. RGS, LEG, 149206, 340; Lunenfeld, *Keepers of the City*, 81.
20. *Siete Partidas*, Partida IV, 2.15, 20, “el christiano desposarse puede con mujer que non sea de sus ley sobre tal pleito que se torne ella cristiana ante que se cumpla el casamiento e si non se tornare ella cristiana non valdrien las desposaias.”
21. RGS, LEG, 149206, 340, “ella fue primero casada con el dicho Juan Loarta, que non con la otra muger que agora tyene”.
22. “puede haber dos años que poco mas o menos Francisco Jimenez siendo moro se convirtió a nuestra fee católica, En el dicho tiempo diz que fuera casado con Bonifaz que diz por que la dicha su mujer no se quiso convertir se quitó e partio de ella e se desposó con la dicha Maria de Castro. E que estando así desposados e façiendo vida maridable en uno la dicha Bonifaz se convirtió y tornó cristiana, e diz que nos Fernando e Isabel ovimos mandado una nuestra çedula a Francisco Jiménez y que pues la dicha Bonifaz se había tornado a la fee católica que fçiese vida con ella”, AGS, RGS, LEG, 150107, 457, fol. 1r.
23. AGS, RGS, LEG, 150008, 234.
24. “el dicho Francisco Jiménez había cometido gran delito en se haber casado dos veces siendo su mujer viva y que había caído e incurrido en muchas penas criminales”; AGS, RGS, LEG, 150107, 457, fol. 1r.
25. “él estaba apartado de la dicha mujer ella no se quería convertir”.
26. AGS, RGS, LEG, 150008, 234, fol 1r.
27. Alfonso X, *Sietes Partidas*, Partidas IV, 2.7. “Ligamiento e fortaleza grande ha el casamiento en sí, de manera que despies que es fecho entre algunos no se puede desatar que matrimonio non sea.”
28. *Siete Partidas*, Partida IV, Introducción, 1, “[Dispuso Dios] que assi como [Adán y Eva] eran de cuerpos departidos segund natura, que fuessen vno quanto en amor, de manera, que non se pudiesen departir, guardando lealtad vno a otro; e otrosí, que de aquella amistad saliesse linaje, de que el mundo fuesse poblado, e él loado e seruido.”
29. *Decretales, Liber Extra*, IX 4.19–7, 722–3.
30. *Siete Partidas*, Partida IV, 10, 3, 59–60; *Decretum*, C.q.28.2, 1090.
31. AGS, RGS, LEG, 150107, 457, fol. 1r.
32. *Siete Partidas*, Partida IV, 6, 2.
33. Rodríguez Molina, “Libre determinación religiosa en la frontera de Granada”, 693–708; Echevarría Arsuaga, “Biografías de conversos: Historia de una doble exclusión”, 216.
34. RGS, LEG, 147605, 376; RGS, LEG, 148409, 135; RGS, LEG, 150001, 33.
35. *Leyes de Moros*, Título LXIII, 47–8.
36. Pérez, *Libro de las Confesiones*, 713.
37. Glazer-Eytan, “Incriminating the Judaizer”, 235–66.

38. Carrete Parrondo, *El Tribunal de la Inquisición*, 65, no. 122.
39. Alfonso, "Late Medieval Readings", 194.
40. Orfali, *Los conversos españoles*, 35.
41. *Ibid.*, 27, 28.
42. Shelomo ben Abraham ben Adret, *She'elot u teshuvot*, no. 1162.
43. Maimonides, *Leyes sobre el matrimonio*, 4, 15, p. 65.
44. AHN, INQUISICIÓN, 134, Exp. 4, Inquisition trial of María Álvarez, Fernando Cuéllar's wife, 1492 in Baer, *Die Juden in Christlichen Spanien*, doc. 421, 519.
45. Melammed, *Heretics or Daughters of Israel?*, 36–50, 106, 150.
46. Cantero Montenegro, "Malos tratos y violencia doméstica", 29–42; Bazán Díaz, "La violencia legal", 203–27.
47. Orfali, *Los conversos españoles*, 23.
48. AGS, RGS, LEG, 149702, 268.
49. Qur'an, Surat an-Nisa' 7 (QS 4:7).
50. Peters and Vries, "Apostasy in Islam", 1–25; Echevarría, "Conversion religieuse et législation islamique: sur l'apostasie et la réconciliation (Espagne XV^e siècle)".
51. *Leyes de Moros*, Título CCLXII, 214–15.
52. Isa ibn Gebir, *Summa de los principales mandamientos y devedamienos de la ley y çunna*, 362.
53. Estenaga Echevarría, "Condición social de los mudéjares", 21–2.
54. *Partidas* VII, 25.6.
55. Ladero Quesada, *Granada después de la conquista*, doc. 83, 417–18.
56. Orfali, *Los conversos españoles*, 24, "que se non traspasse | njnguna possessyon de vn tribo a otro | por tal que cada vno se junten & apegen | los tribos de los fijos de Israel", Alba Bible (1422–1433), 36:9, fol.80, <http://corpus.bibliamedieval.es/>.
57. Nirenberg, "Love between a Muslim and a Jew", 127–55.
58. RGS, LEG, 148911, 146, AGS, RGS, Nov. 1489, f. 146. Carrete Parrondo, *El judaísmo español y la Inquisición*, 84–5, "que la aljama de los moros de la muy noble çibdad de Burgos nos fizieron relacion por su peticion que en el nuestro Consejo fue presentado diciendo que bien sabiamos que una judia veçina de esa ciudad comevida por su voluntad libre quixo dexar e dexara la ley judaica en que estava y pasarse a la ley de los moros, y porque en esa çibdad de Soria no avia morería donde lo podiese fazer diz que comunicó sobrello con un moro que se llamaba (Ibrahim) Barhim Caballete e se dieron palabra el uno al otro que pasada a la ley de los moros de se casar en uno e que asy lo fezieron."
59. AGS, RGS, 1490 05, 400, Ed. Suárez Fernández, *Documentos acerca de la expulsión*, doc. 140, pp. 340–1 "por esta nuestra carta no es nuestra e voluntad de permityr nin permitimos que ningund judío se torne moro de aquí adelante, antes espresamente lo defendemos so aquellas penas en que cahen e incurren los moros que se tornan judíos." For the complete trial documents on the case of Ali Mendoza, a Muslim from Guadalajara who converted from Judaism as a young boy, see Ortego Rico, "La ley infringida", 125–6.
60. Wagner, "Meshumad and Mumar in Talmudic Literature", 198–227.
61. Maimonides, *Leyes sobre el matrimonio (Hilkot ishut) del Mishné Torá*, 65, no. 4, 15.
62. Romano, "Conversión de judíos al Islam", 333–7.
63. Assis, "Sexual Behaviour".
64. *She'elot u-teshuvot le-ha rav rabbenu Asher*, 34v.
65. *Leyes de Moros*, Título XIII, 20.
66. "non es el casamiento quito, mas que esten en uno por casamiento et non la puede dexar." *Leyes de Moros, Titulo LXXXIII*, 63.
67. "ni duerman ni casen con infieles ni hombres ni mugeres"; Isa ibn Gebir, *Summa de los principales mandamientos y devedamienos de la ley y çunna*; 341; Wiegers, *Islamic Literature in Spanish and Aljamiado*, 115–33.
68. Nirenberg, "Love between Muslim and Jew", 143–4, 152–3; Nirenberg, *Neighboring Faiths*, 35–55; Gómez Moreno, "An Unknown Jewish-Christian Controversy", 285–92; Echevarría, "Better Muslim or Jew?"
69. Echevarría, "Better Muslim or Jew?", 67.
70. *Ibid.*, 74–5.
71. *Fuero de Cuenca*, XI, 23, 316.
72. Alfonso X, *Fuero Real*, Libro III, Título VIII, 3, 85.

73. AHN, INQUISICIÓN, 134, Exp. 4, Inquisition trial of María Álvarez, Fernando Cuéllar's wife, 1492, in Baer, *Die Juden in Christlichen Spanien*, doc, 421, 519.
74. AGS, RGS, LEG, 149012, 229; AGS, RGS, LEG, 149103, 234.
75. AGS, RGS, 150008, 59.
76. AGS, LEG, 15000, 457.
77. AGS, RGS, 149008, 387.
78. López de Coca Castañer, "La liberación de cautivos", 79–114; González Arévalo, "Cautivos, moros y judíos en Málaga", 345–62.
79. AGS, RGS, LEG, 150009, 393.
80. Moratino, "Consecuencias del decreto de conversión al cristianismo de 1502", 117–39; Molénat, "En los últimos años del siglo xv: el fin de los 'mudéjares viejos' de Castilla", 31–56.
81. Molénat, "Hornachos fin xv^e-début xvi^e siècle", 161–76; Ortego Rico, "La ley infringida", 134–5.
82. AGS, Casa y Sitios Reales, leg. 9, ff. 431, 434, 435, 436; AGS, CCA, Ced. 7, f. 134, doc. 1; Ortego Rico, "La 'ley infringida'", 135.
83. *Decretales, Liber Extra*, III. 42. c. 3, 646.
84. *Decretum*, C. 1, q. 4, c. 7, 419.
85. C. 28, q. 1, c. 11, 1087.
86. Ladero Quesada, "Notas acerca de la política confesional de los Reyes Católicos", 697–707.
87. Echevarría Arsuaga, "Conversion religieuse et législation islamique: sur l'apostasie et la réconciliation (Espagne XV^e siècle)".
88. Nirenberg, "Mass Conversion and Genealogical Mentalities", 3–41.

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