

FOUR KIDNAPPINGS IN THIRTEENTH-CENTURY ARAGON: Christian Children as Victims of Christian-Muslim Domination

In 1281 Marinel de Grailla, an inhabitant of Sariñena in Aragon, sold a young boy whom he supposed to be Muslim to his fellow townsman Johannes Carcassers in the market of Pamplona. When the boy began to protest that he was actually a Christian, Marinel and Johannes hurried him off to a field and put a knife to his throat to silence him. Thereafter they took him to the house of the latter, where they circumcised him by force and then threatened him not to divulge what had passed. The two went on to sell their victim at the convent of Sijena a few miles to the south-east, but not before rumours of their crime had become common parlance in their town.¹

In 1292 a complaint came to the ears of the *infante* Pedro of Aragon that the Commander of the Order of Calatrava at Alcañiz was holding a boy whom the Order claimed to be a Muslim, but whom Pedro de Podio de Nina, an inhabitant of the same town asserted to be his own son Dominicus, a Christian. Despite the fact that the identity of the boy had been established to the apparent satisfaction of the law, the Knights refused to restore the boy to his proper faith and family.²

In 1296 the five-year-old son of Bonanatus Ballesterius and his wife Dulcia was carried off to the *huerta* of Murcia by Christian soldiers of fortune and eventually sold as a Muslim slave along with other captive *sarraceni*. Two months later, when the mother's complaint reached the ears of the king, the boy had yet to be found. Jaime II ordered his officials to be on the alert for the lad, and ordered that they proceed against the mercenaries in question.³

In 1298 Berenguer Jonerius, a vassal of Berenguer d'Entença, by "diabolical inspiration" carried off a Christian boy in the city of Tortosa, took him back to the lands of his lord and sold him there as a Muslim slave. After the purchase, the new owner enlisted the help of

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¹Arxiu de la Corona de Aragó, Cancelleria, Registre 50 f. 163v (18 September, 1281). Cf. Appendix, Doc. 1.

²A.C.A., C. Reg. 87 f. 27v (1 January, 1293). Cf. Appendix, Doc. 2.

³A.C.A., C. Reg. 430 f. 96v (25 June, 1296). Cf. Appendix, Doc. 3.

the Muslim *alaminus* of Tivissa, a town in the hills of Tarragona, who circumcised the child and indoctrinated him into the "Saracen error of perversity," which is to say, Islam. When the lord of Entença, Berenguer, heard word of what had come to pass, he fined the *alaminus* one hundred and fifty *solidi*, but accepted the kidnapping and conversion as a *fait accompli* and did not care to restore the victim of the crime to either his faith or his family. King Jaime II was obliged to order the bailiff of Tortosa to collect the lad, and warned the lady Galbos, wife of lord Berenguer, that if she did not expedite the extradition, she, the lord himself, and their goods would be held to account.⁴

The thirteenth-century Crown of Aragon was perhaps the most pluralistic western European society of its time. For the previous two centuries the Crown had embarked on an aggressive and successful campaign of expansion in the Muslim territories to its south, and in these years its area and population increased exponentially.⁵ Even in the late thirteenth century when the incidents in question occurred, the over-all Muslim population of the Crown may have been as high as thirty per cent.⁶ This would not have been an even distribution, rather, some villages and rural regions doubtless remained almost entirely Muslim while other areas may have been mixed. In addition to the Islamic component of the population which was itself varied, there was a substantial Jewish minority of perhaps 3.5%, which may have been overwhelmingly urban, but which nonetheless also included rural landlords and agricultural producers.⁷ Even the Christian population was varied, as the conditions of the frontier had drawn not only Aragonese,

⁴A.C.A., C. Reg. 107 ff. 224v-225r (18 March, 1297). This document is also partially recorded in Reg. 264 f. 96r Cf. Appendix, Doc. 4. I discovered the documents which relate these cases of abduction in 1997 while doing research for my dissertation, "The Victors and the Vanquished: Christians and Muslims of the Ebro Valley, ss. XI-XIII." During that year my work was made possible by the generous support of the Social Sciences and Humanities Research Council of Canada, the *Ministerio de Asuntos Exteriores de España*, the Institució Milà i Fontanals (Consejo Superior de Investigaciones Científicas, Barcelona), a Harcourt Brown Travel Fellowship (University College, Toronto), the Associates of the School of Graduate Studies (University of Toronto) and a Bernadotte Schmidt Research Grant (American Historical Association).

⁵The Catalan-Aragonese "Reconquest" can be divided into two main phases. The first really got underway with the conquest of Huesca in 1096 and lasted through the 1180s. It was at this time that mainland Catalonia and Aragon reached their present size. The subsequent phase, under Jaime I (1215-1276) saw the addition of the Kingdom of Mallorca, along with the other Balearic Islands, the Kingdom of Valencia and, temporarily, Denia and Alicante.

⁶J. Boswell, *The Royal Treasure. Muslim Communities under the Crown of Aragon in the Fourteenth Century* (New Haven, 1977), 7.

⁷These estimates are based on Hillgarth's estimates for the late thirteenth century. See J. N. Hillgarth, *The Spanish Kingdoms*, 2 vols. (Oxford, 1976-78), vol. I, 30-31.

Catalans, Navarrese and Basques to settle in the low-lands of the Crown, but also immigrants from western Europe beyond the Pyrenees.

Ethnicity was only one index of diversity. Other classes, groups and organisations operated within the Crown, each embodying a cohesiveness and self-consciousness at least as strong as the religious one, and whose members pursued their agendas of both the group and their own. Examples of these are corporate entities such as cathedral chapters, monastic houses, and the Military Orders. These corporations, especially the latter, were major economic concerns with extensive land-holdings, a role that brought them into intimate contact with members of each of the religious communities.⁸

The Crown suffered from a condition typical of the age: widespread criminal and class violence and general public disorder. Despite Jaime I's efforts to cow his nobles and to establish the "Peace and Truce of God," civil disorder was widespread. Complaints of banditry and organised violence on the part of renegade nobles regularly punctuate the voluminous Chancellery Registers.⁹ The victims of these depredations were often, but far from exclusively, Muslims. The royal responses to these complaints usually included threats of castigation against the offending party, but seldom provided for restitution, redress or return of stolen goods, meaning that perpetrators were left with little discouragement against subsequent offences.¹⁰

⁸The Military Orders, in particular, made use of Muslim labour both free and servile. A 1289 inventory of Templar holdings reveals that the commandery of Monzon had forty-nine slaves, at Huesca eight, Ambel seven, Villed eighteen, and Castellor thirteen. [J. Miret y Sans, *Les cases de Templars y Hospitalers en Catalunya: Aplech de notes y documents historichs* (Barcelona, 1910), 278]

⁹The ubiquity of this sort of violence is attested to through the later decades of the thirteenth century in a variety of documents. For example, the villagers of the diocese of Girona were given a general order to assemble with arms in order to repel "*bannitis et aliis malefactoribus*" whenever the alarm was sounded [A.C.A., C. Reg. 70, f. 20r (22 October, 1286)]. In 1210, the council of Aranda, both Christians and Muslims, complained of the depredations of a Christian nobleman who attacked the town, set fire to the mills and carried off three Muslims as captives [A.C.A., C. Reg. 85, f. 180r (7 June 1291); cit. E. Lourie, "Anatomy of Ambivalence. Muslims under the Crown of Aragon in the Late Thirteenth Century Crusade and Colonization," in *Crusader Colonization: Muslims, Christians and Jews in Medieval Aragon*, (Aldershot, 1990), VII, 67]. In the same year, Sancio Martin Doblites, *superiunterius* of Zaragoza, was threatened with prosecution himself if he did not attend to the "*multa homicidia furta ropperie et alia grauia maleficia perpetrata et commissa...*" in his jurisdiction [A.C.A., C. Reg. 85, f. 183v (20 July, 1290)]. At the same time, Pedro Garcessi de Morea, *miles*, was ordered to apprehend certain renegade *almogavers* who, it was alleged, were responsible for "*multe ropperie, furta et maleficia ... in frontera apud Montreal aldea Daroca...*" [A.C.A., C. Reg. 85, f. 185r (20 July, 1290)].

¹⁰For example, in 1292 Alfonso III ordered Pedro Altata to return the persons and goods he abducted by force in a violent raid on the village of Pina. He was warned that, should

The Muslims of the Crown of Aragon were particularly vulnerable in this socio-economic scheme, even in spite of the special protection they enjoyed as exclusively royal subjects.¹¹ Although they lived as a community governed by their own laws, in circumstances where they came into (either civil or criminal) legal conflict with Christians they were at a decided disadvantage. In such cases their rights generally bent to the jurisdictional superiority of Christian justice. Although the majority were free subjects, and indeed enjoyed a theoretical royal protection, Muslims constituted the overwhelming majority of the important slave population of the Crown. Many of these slaves were of foreign origin, having been enslaved by capture in war or raids, but a significant number were of local origin. This typically came about by judicial enslavement, either as a result of the commission of an offence against Christian law, or in cases where Muslim law normally prescribed capital punishment. As Muslims did not have the right to execute each other, such a sentence would typically be commuted to lifetime slavery by the royal authorities — a sort of social “death” for the individual concerned. Muslim women were frequently enslaved and so found themselves as inmates of royal brothels, or given away by the kings as prizes to their favourites. Elena Lourie considered these issues when she described the “double vulnerability” of *mudéjar* women.¹²

So what are we to make of the four incidents of kidnapping recounted above? Clearly there is a religious context, a Christian-Muslim context, to each of the events. But, with the exception of the knife-wielding *alaminus* of Tivissa, all of the characters involved in the narratives are Christian. In three of the cases, Christian adults, acting deliberately, abducted children whom they also knew to be Christian. In the remaining case, the Knights of Calatrava, a Military Order dedicated in principle to fighting Islam, knowingly maintained a Christian child in a state of servitude that entailed his *de facto* conversion to Islam. We don’t have to probe too deeply to identify the impetus for these acts: it was simple greed. Marinel and Johannus had made a deal over a slave who turned out to be Christian — rather than come to some sort of compromise over the sale price, they decided to co-operate in selling the boy on, and thus recoup their money.¹³ As for the Comman-

he commit such a crime *again*, he would be punished. [A.C.A., C. Reg. 87, f. 50v (11 March, 1292).]

¹¹See Boswell, 30.

¹²Lourie, 69ff. Boswell and Nirenberg also examine similar issues (D. Nirenberg, *Communities of Violence* [Princeton, 1996]).

¹³It would seem, in fact, that the obligation would have fallen upon Marinel to return Johannus’ money, given that in a case where a free Muslim was sold as a slave, the buyer

der of Alcañiz, the motivation was once again economic gain; by setting the Christian boy at liberty, he would have lost a piece of property. The privateers who abducted the Murcian child would have benefited to the tune of the lad's sale price, as would have Berenguer Jonerius, the Christian of Tivissa. In the last case, the forces of self-interest extended their grip even beyond their immediate benefactor. It had been proven to Jonerius' lord, Berenguer d'Entença, that the boy was a victim of kidnapping, but he had not acted to restore him. Once he had collected a hefty fine from the complicitous Muslim *alaminus*, he lost interest in the case, to the point that the King had to threaten the noble's property with confiscation should he interfere with the bailiff of Tortosa's efforts to recover the child. In the late thirteenth century, male adult Muslim slaves were selling in the range of 200 to 400 *solidi*.¹⁴ It is difficult to establish what these prices meant in real, everyday terms, but the amounts involved would have been considerable, especially for a beneficiary of modest means.¹⁵

Nor should the involvement of the Muslim *alaminus* surprise us. If mere greed were not enough of an encouragement on his part, in the context of the Christian domination, he may have derived a certain satisfaction out of the surreptitious conversion of a Christian child. Certainly, conversion to the true faith would have done the child no harm — and in the free Islamic world enslaved Christian children were converted as a matter of course.

Another characteristic of the cases is the inefficiency with which these various charges were brought before the law — or the inability of the law to protect the victims. In the case of Marinel and Johannes, the two suspects were ordered apprehended and interrogated. In the case of the son of Petrus de Podio, the King ordered the Knights' Commander to liberate the boy — it “not being consonant with reason to hold him in place of a Saracen...” — but does not indicate any punitive or coercive measures that might result from his continued captivity. The *almogavers* who abducted the Murcian child are ordered arrested, and pun-

was entitled to a refund from the vendor. See, for example, A.C.A., C., Reg. 81 f. 159v (18 September, 1290).

¹⁴C. Verlinden, *L'esclavage dans l'Europe médiévale*, 2 vols. (Bruges, 1955), 282-283.

¹⁵No systematic study of prices has been done for the Crown of Aragon in the period in question, but for comparative purposes a glance at the documentation reveals, for example, that in the Kingdom of Valencia the poll-tax for a working adult Muslim or a female Muslim prostitute was set at twenty *solidi* per annum in 1281 [A.C.A., C., reg. 50, f. 231r, (14 February)]. In the same year the Muslim *aljama* of Teruel paid three hundred *solidi* to the king for *cena* [A.C.A., C., reg. 51, f. 21r (27 June)]. In May 1302, the king paid sixty-two *solidi*, twelve *denarii* to send a Muslim messenger to the King of Granada, while the value of a lost mule was assessed at one hundred sixty *solidi* [E. González Hurtebise, *Libros de la tesorería de la Casa Real de Aragón* (Barcelona, 1911), 35, 42].

ished in such a manner that “their punishment might serve as an example to others who would attempt similar crimes.” What that punishment would be and whether it would be carried out is another question entirely, as is the matter of whether either the perpetrators or the victim would ever be re-located.¹⁶ Finally in the case of Lord Berenguer d’Entença, we see what appears to be a deliberate and continued refusal on the part of the lord—the local judicial authority—to obey either the letter or the spirit of the law. In this case, at least, the king appeared determined to follow through, as an order to recover the boy was despatched to the bailiff of Tortosa at the same time as the order to Lady Galbos.¹⁷

When the laws as they stood referred to such or to similar offences, they indicated that they were not to be treated lightly. The frontier *fueros*, for example, specify harsh punishments. The *Costum de Tortosa* specified death by hanging for anyone who dared to conceal a fugitive of any faith.¹⁸ The *fuero* of Teruel specifies death by burning for anyone guilty of selling a Christian into slavery and a fine of two hundred *solidi* for forcible castration.¹⁹ But the general compilation of Aragonese law, which was undertaken in 1247 by Vidal Cañellas, under the orders of Jaime I, does not mention this specifically as an offence.²⁰ General ecclesiastical legislation does not seem to directly refer to this crime, but this is not surprising, given that it may have been comparatively rare when the whole of Latin Christendom was consid-

¹⁶Two months had elapsed since the commission of the crime (April, 1296) and the order for the apprehension of the suspects (June, 1296).

¹⁷A.C.A., C., reg. 107, f. 225r (18 March, 1297). Cf. Appendix, Doc. 5.

¹⁸*Costum de Tortosa*, IX, XXIV, 6:

Si algu per engan enbla persona franca, o servu o catiu o cativa, o per aventua la reebra en sa casa, per ço qu’el cel com sera en fuyta, o sera en furtat o enblat, per aquela rao que sos amics de la franca persona o el senyor del servu o del catiu o de la cativa los perden, com sera provat contra ell, deu esser rocegat e puys penjat en guisa que muyra. E tot hom del poble pot fer aquesta accusacio sens escriptio de si, en sens pena de talio, e de tota altra pena. E en aques cas se pot provar per crestians tan solament, que no y ha mester sarrai ne jueu contra jueus o sarrains, e contra crestians. [Verlinden, vol. 1, 278.]

¹⁹The thirteenth-century *fuero* of Teruel prescribes death by burning for anyone who sells a Christian [“Item mando quod si aliquis uir. siue mulier cristianum uendiderit. et ei probatum fuerit. comburatur...”], and a considerable fine for unlawful castration [“...quicumque hominem castrauerit et ei probatum fuerit. pectet. CC. aureos alfonsinos. Et exeat inimicus...”] (F. Aznar Navarro, ed. *Forum Turolii* (Zaragoza: 1905); {384} and {394}, 210 and 213).

²⁰The “Vidal” does establish a fine of two hundred and fifty *solidi* in a case where a *villano* wounds another *villano* [XI: 52, “De iniurijs,” Vidal mayor, G. Tilander, ed. (Lund, 1956), 529].

ered.²¹ On the local level, however, the problem is referred to: in 1229, the Council of Lleida ruled that those who kidnap Christians (not necessarily children) for sale to Muslims should be excommunicated, but does not consider the possibility of their sale to Christians.²² Clearly, however, both secular and religious law would view such offences with the deepest sense of outrage. Not only were the legal rights of the individual grossly violated, but such abductions were an abrogation of their religious rights and a blow against the Church. If individual Christians were absolutely prohibited by Church law from willing conversion to Islam, enslavement and the resulting forced conversion would have been considered outrageous. Yet we find the local Commander of a Crusading Order willingly involved in just such an affront to Christendom.

Still, given the importance and ubiquity of the slave trade in Aragonese society, such criminal acts must not have been uncommon. This would have been the case especially in frontier regions, or adjacent to ports, where it would have been relatively easy to spirit victims out of the country and perhaps on to Muslim Granada or North Africa for sale. Even so, in the four cases with which we are concerned, bar one possible exception, the victims remained in Christian (even local) territories. This would seem to imply that the perpetrators feared neither detection nor punishment. In the case of the circumcision in Tivissa it was not the Christian kidnapper, but the Muslim accomplice who was charged with the crime and assessed the fine in the end.

We already know that illegal abduction was not uncommon in the thirteenth-century Crown. In her "Anatomy of Ambivalence," Elena Lourie recounts episodes where groups (sometimes comprised of Muslims and Christians working together) conspired to kidnap free Muslims for sale into slavery. She notes that women in particular seem to have been victims of this type of abduction. Occasionally, Christian women were abducted as well, and she cites "a sizeable export trade in Christian women [which] was uncovered in Denia [in 1292], despite the presence of the Merce-darians."²³ "Christian peasants," she writes, "...were hardly less despised than Muslim peasants, by the Christian

²¹For general considerations on the attitude of medieval canon law towards children see, R. Metz, "L'enfant dans le droit canonique médiéval. Orientations et recherche," *Recueils de la Société Jean Bodin*, 36 (1976): 9-96; reprinted in idem, *La femme et l'enfant dans le droit canonique médiéval*, (London, 1985). The legislation is primarily concerned with either metaphysical matters or issues relating to the ordination of minors.

²²J. M. Pons Guri, "Constituciones Conciliars Tarraconenses," *Analecta sacra Tarraconensi*, 47 (1974), {36}, 91. It was probably assumed that abducted Christians would be sold as slaves to the Islamic world.

²³Lourie, 68.

nobility; but [with the exception of women] they rarely ran the risk of being kidnapped and sold into slavery by their co-religionists."²⁴ This is not surprising, as women and children would have been preferred victims due to the marketability of the former as sexual slaves and the small size of the latter. Neither had the same capacity to physically resist abduction as a grown man would have. But in any case, it is not necessarily a despising nobility that was responsible for these crimes, but rather, as often as not, the Christians' fellow commoners. A commoner would have accrued a larger economic return on the sale of a slave than a noble (relative to his or her wealth), which makes it a more likely scenario given that, as with the case of women, kidnappings of children would have been primarily economically motivated.

Moreover, we must not forget that we are dealing with slavery here only in its most forthright form. The general disposition of medieval society was inclined towards a notion of bonded servility and there must have been a widespread underground market among Christians, where people exchanged ostensibly free servants who were in fact slaves in every sense of the word. Heers remarks that there was a widespread trade in young girls in Southern Europe; sold as domestic employees, they were in fact bonded.²⁵ Further, the chronic disorders and endemic banditry of the thirteenth-century Crown of Aragon made rural lawlessness with attendant incidents of robbery and abduction common even in the more stable interior provinces, and the existence of highwaymen and outlaws is attested to not only by the many complaints of such robbery which reached the royal courts, but also by the custom of the kings to issue letters of royal protection (*guidatica*) to travellers of all faiths.²⁶ The thriving existence of a black market in slaves is also attested to by the warranty clauses that were customarily attached to the sales receipts of slave purchases. In these, the vendor typically guaranteed that the person purchased was legally a slave, whom he or she had the right to sell, and neither a free Muslim, nor a captive Christian.²⁷

²⁴*Ibid.*, 68.

²⁵J. Heers, *Esclaves et domestiques au Moyen Âge dans le monde méditerranéen* (Paris, 1981), 153.

²⁶See, example, the *guidaticum* granted to Johannus Luppi, [A.C.A., C. Reg. 89 f. 114r (25 July, 1294)], or that granted to the Muslim Mohammad Abndalhadir [A.C.A., C. Reg. 90 f. 4v (10 August, 1291)]. In 1290, the Jewish mercenary and courtier Abrafim Abenamies was issued a *guidaticum* for a journey to Granada [A.C.A., C. Reg. 84 f. 10v (11 January, 1290)]

²⁷The requirement for all slaves to be registered with an *albaranum* also ensured that the royal *quinta* had been paid for the captive in question. After some of Berenguer de Manso's slaves were stolen in the Kingdom of Valencia, royal officials were ordered to impound any slaves "pro quibus dominio eorum non hostenderint albaranum de quinta aut instrumentem emptionis" [A.C.A., C. Reg. 58 f. 113r-v (21 November, 1285)], while in

One might also assume that, had they been operating, the various regulations, both ecclesiastical and secular, which prescribed distinctive garb for the religious minorities might have reduced the possibility of cross-religious misidentification. In culturally diverse societies members of majority and, often minority groups, consider it advantageous to impose distinctive styles of dress on different groups. The prime motives behind this legislation were the prevention of sexual and/or doctrinal contamination, either accidental or deliberate.²⁸ Such was the case in many medieval Islamic regions, such as Egypt, where Coptic Christians assumed the *zunnār* (a traditional girdle) either by custom or imposition and, increasingly, in the Latin Christian world. Innocent III's instructions of Lateran IV (1215), however, did not necessarily survive the trip across the Pyrenees intact, as the preoccupation with such distinctions seems to have been aimed more at the Jews of Aragon.²⁹ This issue surfaces rarely in local municipal legislation, and even in the

1287 Lupo Eximini de Biota complained that his black slave Sayt had been seized for Lupo's failure to produce an *albaranum* [A.C.A., C. Reg. 70 f. 74r-v (13 April)]. A typical *albaranum* reads as follows:

Universis ad quos presentes pervenire. Noveritis quod isti .v. sarraceni albi quorum aliter uocatur Abdela et aliter Asmen et tres uocatur Mahomet quos bene Berenguer Sabaterii ciuis Barchinonae secum ducit sunt de bona guerra et fuerint capti et abstracti de almonem nostra in Barchinona quare mandamus uobis quatinus eidem Berengueri Sabaterii super ipsis sarracenis nullum impedimentum seu contrarium faciatis seu ab aliquo fieri permitatis.

[A.C.A., C. Reg. 81, f. 141r (7 June, 1290)].

²⁸The threat of sexual contamination was, it seems, a prospect as threatening as heterodoxy, as the dress-code was held to be necessary because "contingit interdum quod per errorem christiani Iudeorum seu Saracenorum et Iudei seu Saraceni christianorum mulieribus commiscuntur." [*Constitutiones concilii quarti Lateranensis una cum commentariis glossatorum*, ed. A. García y García, *Monumenta iuris canonici*, Series A: *Corpus glossatorum*, vol. 2 (Vatican, 1981), {68}, 107.] Although the prohibition of cohabitation dates from at least 1179 (Lateran III, {26}) [*Corpus iuris canonici*, A. Friedberg ed. (Leipzig, 1881), 224]), in the thirteenth century the Church began to take an increasingly dim view of any interaction of Christians and non-Christians. The Council of Tarragona (the Metropolitan of the Crown of Aragon) of 1266 ruled that Christians were no longer allowed to live with Jews nor to employ them as nurses [Pons Guri, "Constitucions conciliars tarraconenses," *Analecta sacra Tarraconensi*, 48 (1975), {8}, 270]. Later fourteenth-century ordinances further restricted social interaction, such as at weddings and circumcisions. (For example, see Article 71 of the Council of Tarragona of 1330, *ibid.*, 357-8).

²⁹Papal legislation specifies both Muslims and Jews:

In nonnullis prouinciis a christianis Iudeos seu Saracenos habitus distinguit diuersitas, set in quibusdam sic quedam inoleuit confusio ut nulla differentia discernatur.... statuimus ut tales utriusque sexus, in omni christianorum prouincia et omni tempore, qualitate habitus publice ab aliis populis distinguantur...

[*Ibid.*, {68}, 107], whereas the statutes of the Council of Lleida (1229) specify only Jews: "Cum iudei signo notabili a christianis discerni debeant..." [Pons Guri, *Analecta sacra Tarraconensi* 47 (1974), Const., Lleida 1229 {XV}, 83.]

fourteenth century, the various cases of mistaken religious identity attest to a general inability to distinguish Muslims from Christians solely by means of appearance.³⁰ This would have been even more the case with children, who as minors would likely be exempt from such rules and, being sexually immature, would not be seen to constitute a threat.³¹

Often, the religiously pluralistic society of Medieval Aragon is perceived too readily by modern historians in terms of the religious divisions by which we choose to characterise it; that is, as a situation of Islam versus Christianity. It is dangerously easy to forget that religious identity, despite its importance, represented only one manner in which the people of the time defined themselves. It is too easy to forget that the members and the institutions of these societies were motivated in their actions by forces particular to the circumstances of the specific situations in which they found themselves. As the psychiatrist R. D. Laing wrote, "The person who moves through different pluralities in a pluralistic society functions in different modes, even simultaneously..." hence the apparent contradictions.³² In fact, the divisions or partitions of Aragonese society of the time provided opportunities for people to exploit members of their *own* faith as much as members of the others. Much has been written on the vulnerability of minority groups to persecution by the Christians dominant in this society, and especially on the vulnerabilities of Jewish and Islamic women to sexual and economic exploitation at the hands of the majority Christian men. This has been explained in terms of religion, gender and class, all of which undoubtedly played a role. But the various other modes of exploitation engaged in indicate that none of these explanations alone is sufficient to account for the vulnerabilities of the victims of persecution. In the cases examined above it is obvious how, regardless of their religious affiliation, children were victimised. Children are legal minors, physically diminutive, and lacking in experience and confidence, and so in the society of the thirteenth century, as in our own, they comprised a natural target for individuals whose urge for material gain was unhindered by strong scruples, or for others in cases where such exploitation

³⁰See, for example, Nirenberg, Chap. 5, 127-165.

³¹Indeed, in an investigation into a case of Muslim-Christian miscegenation in Aragon [20 km up the Ebro from Zaragoza] in 1295, at the request of the nobleman Luppi Ferrench de Luna, two Muslim youths were absolved of any complicity due to their age: "... sit quod non dum excesserunt aliquis eorum etatem decem et octo annorum propter quod ratione consensus non potest nec debeat presumiri contra eos, remisimus ipsos de speciali gracia..." [A.C.A., C., reg. 89 f. 121r (29 August 1295)].

³²R. D. Laing, *The Politics of the Family* (London, 1969), 12.

could be psychologically rationalised.³³ In these cases of abduction, the *mudéjar* situation did nothing more than provide certain opportunities for the manifestation of violent and criminal impulses which would have otherwise found other terms of expression but with generally similar results.³⁴

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APPENDIX

Documents:

1. A.C.A., C. Reg. 50 f. 163v (18 September, 1281)

Dilecto suo Garçie Petri de Ayerbe justicie Saraynane, salutem et dilectum. Intelleximus quod cum Marinel de la Grailla uicinus Saraynane emisse apud Pamplonam quondam puerum credens ipsum esse Sarraçenum et postea uendidisset ipsum Johanni de Carcasses uicino Saraynane. Idem Marinel et Johannes de Carcasses cum dictus puer diceret esse Christianum duxerunt ipsum ad quondam ortum et ibidem minati fuerunt ei cultellis euaginatibus quod si decetero diceret se esse Christianum quod decollarent ipsum. Et etiam postquam reduxerunt ipsum de dicto orto et fuerunt in domo dicti Johannis de Carcasses circumcederunt eum ibidem minando ei ne clamet. Unde cum de predictis sit in Saranyena ut dicitur fama publica, mandamus uobis quatinus, uisis presentibus, capiatis predictis Marinel et Johannis de Carcasses et recipiatis ab eis et de dicto puero confessionem, ac eosdem esset captos teneatis donec a nobis aliud habueritis mandamentum, inquirendo nichilominus diligenter ueritatem super premissis causa in monasterio de Sexena ubi dictus puer fuit, ut dicitur, uenditus per dictum Marinel postquam fuit per eum et dictum Johannem de Carcasses circumcisus, quam etiam in Saranyena. Datum Ilerde XV^o kalends Septembris.

³³The special vulnerability and need for protection of certain classes of women and children (i.e. widows and orphans) is acknowledged in a document of 1295, which remarks "Quod domine uidue et pupilli orphani sunt sub protectione et commanda dicti domini regis..." [A.C.A., C., reg. 89 ff. 115v-116r (3 July 1295)]. The document in question responded to the complaint of the Christian noble woman Sibia, widow of Guillermus de Alcalona, that certain knights [*milites*] (fellow Christians, presumably) and others [*alii*] had been attacking her property and vassals (both Christian and Muslim as the previous document implies) [A.C.A., C., reg. 89 f. 116r (2 July 1295)].

³⁴Finally, by way of an "afterword," I might mention another case, in which some Muslims of Almonézir were apprehended after being allegedly discovered with an abducted Muslim child. An investigation was ordered and the accused, if found guilty, were to be punished "in such a manner as might serve as an example for others" [A.C.A. C. reg. 89, 40v (19 December 1294)]. No further details are given and we cannot be sure of the abductors' designs on their victim, but in any event, as in the cases discussed above, this was an instance where a child fell victim to malefactors of his own faith, who hoped to exploit the possibilities of the *mudéjar* situation.

2. A.C.A., C. Reg. 87 f. 27v (1 January, 1293)

Venerabili Alvaro Lupi Comendatori de Alcanicio. Intel-leximus per Petro de Podio de Nina uicinum de Alcanicio quod uos tenetis captum quendam filium suum nomine Dominicum asserens ipsum fore Sarracenum et seruum uestrum, unum cum dictus Petro asserat dictum Dominum fore filium suum liberum et quod uult probare, ut dicitur, in posse uestro eius libertatem et filiacionem. Miramur multum de uobis quare uos requirimus et monemus quatinus, dicto Petro de Podio de Nina probatum dictum Dominicum filium suum fore Christianum libertum eundem, a captione absoluatis, cum non sit consonans rationi detinere in captione Christianos et liberos in loco Sarracenorum postquam certum sit ipsum Dominicum esse lib[er]um filium suum, propter quod nos ab huius modi immunitate et gravamine desistere debetis et potius euit[...].³⁵ Datum apud Foz la Viella, v nonas Januar[ie].

3. A.C.A., C. Reg. 340 f. 96v (25 June, 1296)

Uniuersis officialibus ad quos presentes peruenerint, et cetera. Ex parte Dulcie uxore Bonanati Ballesterius quondam nobis fuit expositum conquerendo quod quidam filius suus et dicti uiri sui nomine Iustet[?] qui erat etatis quinque annorum fuit captus et furtiue surreptus in ortis Murcie in mense Aprilis proxime preteritis per quosdam almugauerios seu predones³⁶ insimul cum quibusdam sarracenis et fuit uenditus in terra et iurisdiccione nostra per eosdam almugaueros seu predones sub nomine sarraceni. propter quod pro parte dicte Dulcie fuit nobis humiliter supplicatum ut super predictis dignaremur eidem de iuris remedio providere. Cum nos ipsa supplicatione benigne admissa uobis dicimus et mandamus quatinus unus quisque in districtu suo ubicunque predictum Iustetum[?] inueneritis emperetis eundem et cum nobis constituerit de predictis tradatis ac restituatis seu tradi et resititui faciatis ipsum matri sue predicte uel cui uoluerit loco sui procedendo nichilom[inus] contra almugaueros seu predonos predictos prout fuerit faciendum eosdem taliter puniendo quod pena eorum sit aliis similia atemptantibus in exemplum. Datum Murcie .VIII^o. kalendas Junii. Anno Domini M^o. CC^o. XC^o. Sexto.

4. ^aA.C.A., C. Reg. 107 ff. 224v-225r (18 March, 1297)^bA.C.A., C. Reg. 264 f. 96r (18 March, 1297)

Dompne Galbos³⁷ uxori nobilis Berengerii de Ententia.³⁸ Ad aures nostras noueritis peruenuisse quod Berengerius Jonerii vasallus dicti nobilis, quod sue salutis inmemor et diabolica suasionem comotus, furtim subrepat in ciuitate Dertose quondam puerum Christianum et ipsum vendidit ut sarracenum in terra dicti Berengerii, et quod post ipsam venditionem dictus puer per aleminum de Teuiça fuit circumcisis, et quod cum huiusmodi excessus ad dicto Berengerio de Entencia audienciam peruenuisset, et aleminum predictum in quandam modica quantitate pecunie, uidelicet centum quinquagantum solidorum, multauit, sed cum puerum

³⁵End of last word obscured.

³⁶The words "sub nomine sarraceni" are struck out.

³⁷B reads "de Ententia."

³⁸B adds "quomodo et cetera."

ipsum lib[er]are³⁹ a captione et errore prauitatis Sarracenicæ non curauit. Immo quod abhominabile est inter sarracenos licet coactus eorum sectam tenendo apud Teuicam conuersatur, unde cum talia et tam graui⁴⁰ per nos in terris nostris non debeant tolerari, nec ea in tantam contumeliam Creatoris debeamus oculisconuiuentibus pertransire, vobis dicimus et mandamus firmiter et districte quatinus, incontinenti uisis presentibus, puerum predictum baiulo nostro predicto (f. 225r) Dertuse uel eius locum tenenti tradatis uel tradi et deliberari faciatis, ut ipsum ad parentes suos possit reducere fidem catholicam quam suscepit cessitati sarracenicæ refutata ulterius inter Christianos cum suis parentibus seruaturum in Sarera. Quod, si presens mandatum nostrum neclexeritis [*sic*] adimplere, contra uos et bona uestra prout qualitas tanti criminis et negotii exigit a requirit procedemus et procedi faciemus, etiam per baiulum nostrum Dertuse et alios officiales nostros rationaliter faciemus. Datum Valencia XII kalendas Martis anno quo supra-scripta.

5. A.C.A., C. Reg. 107 f. 225r (18 March, 1297)

Dilecto suo baiulo Dertuse uel eius locum tenenti, et cetera. Noveritis nos nobili Dompne Galbos uxore nobilis Berenguerii de Entencia quod nostras [...] destinare literas sub hac forma. Jacobus, et cetera ut supra proximo notatur in presenti registro qua propter uobis dicimus et mandamus quod in continenti uisis presentibus faciatis presentari dicte Dompne Galbos literas supradictas et requiratis seu requiri faciatis ab ea ut uobis tradat puerum de quo sit mentio in literis supradictis verum si ipsa dompna Galbos vobis distulerit seu recusauerit tradere puerum supradictum vos ad hoc ipsam et bonam suam fortiter compellatis.

Datum Valencia .xii. kalendas Martis. Anno quo supra [scripto est].

Translations:

1. A.C.A., C. Reg. 50 f. 163v (18 September, 1281)

[King Pedro "el Grande"] To his dear Garcia Petri de Ayerbe, Justice of Sariñena,⁴¹ greetings. We understand that when Marinel de la Grailla, inhabitant of Sariñena, sold at Pamplona a certain boy, he believed him to be Muslim and afterwards sold him to Johannus de Carcasses, inhabitant of Sariñena. [And] that Marinel and Johannus de Carcasses, when the boy said that he was Christian, led him to a certain garden and there threatened him with knives drawn, that if he ever said again that he was Christian that they would cut off his head. And then, thereafter, they led him out of the said garden and to the house of the said Johannus de Carcasses, [where] they circumcised him, threatening him lest he scream. Since this has become common knowledge in Sariñena, we order that, having seen the present [letter], you capture the aforesaid Marinel and Johannus

³⁹B reads "liberare"; A reads "libare."

⁴⁰B breaks off at the word "grauia." A note in the inner margin explains, "vacat quare in comuni registrata est".

⁴¹Sariñena is in the modern province of Huesca.

de Carcasses and receive from them a confession regarding the aforesaid boy, and that you hold them captive until you receive an order from us, and indeed, [that you] inquire diligently of the truth at the Monastery of Sijena,⁴² which is in Sariñena, where it is said the boy was sold by the said Marinal after he was circumcised by him and the said Johannus de Carcasses.

Dated at Lleida, 15 kalends September.

2. A.C.A., C. Reg. 87 f. 27v (1 January, 1293)

To the venerable Alvarus Lupi Commander of Alcañiz.⁴³ We understand from Petro de Podio of Nina inhabitant of Alcañiz, that you are holding captive a certain son of his, by the name of Dominicus, asserting him to be a Muslim and your slave. Since the said Petro asserts the said Dominicum to be his free son he wants to enjoy, as it is said, his liberty and relationship, with your leave. We wonder greatly at you [for this] — the said Pedro de Podio of Nina having proved his son Dominicus to be a free Christian. Whereby we require and order that you release [him] from captivity, since it is not consonant with reason to detain free Christians in captivity in place of Saracens, given that it is certain that this Dominicus is his free son, [and] on account of which we [order] you to desist to from and to better avoid this type of aberration and abuse.

Dated at Foz la Viella, 5 Nonas January.

3. A.C.A., C. Reg. 340 f. 96v (25 June, 1296)

To all officials to whom the present letter reaches, et cetera. On the part of Dulcia, wife of Bonanatus Ballesterius, who was complaining, it has been demonstrated to us that a certain son of hers and the aforesaid man, and with the name of Iustet[?], who being five years of age was captured and secretly abducted in the *huerta* of Murcia in the month of April just passed by certain *almogavers* or bandits, and that he was sold along with certain Muslims in our territories and jurisdiction by those *almogavers* or bandits under the name of a Muslim. Because it was humbly beseeched of us on the part of the said Dulcia and because it is worthy of us to provide her the remedy of law, so this supplication has been benignly admitted by us, [and] we order and command that you search each in his district wherever the aforesaid Iustet[?] may be found, and since [the burden] befalls us regarding the aforesaid, that you hand him over and restore or make to be handed over and restored [him] to his aforesaid mother or to whomever she may wish in her stead, proceeding nonetheless against the aforesaid *almogavers* or mercenaries concluding the affair in such a manner and punishing them such that their punishment may be an example to others attempting similar [crimes].

Dated at Murcia, 8 Kalends of June, Anno Domini 1296.

⁴²The Monaster of Sijena lies some sixteen kilometres south-east of Sariñena.

⁴³Alcañiz lies on the rich banks of the Guadalope, twenty-five kilometres upstream from its confluence with the River Ebro, in the modern province of Teruel. It had been a possession of the Knights of Calatrava since 1179.

4. A.C.A., C. Reg. 107 ff. 224v-225r (18 March, 1297)

To the Lady Galbos, wife of the noble Berenguer d'Entença.⁴⁴ Know that it has come to our ears that Berenguer Jonerii, vassal of the said noble, unmindful of his well-being and having been prompted by diabolical persuasion, has secretly carried off a certain Christian boy in the city of Tortosa⁴⁵ and has sold him as a Muslim in the lands of the said Berenguer, and that after that sale, the said boy was circumcised by the *alaminus* of Tivissa,⁴⁶ and that when in this manner this excess arrived at the attention of Berenguer de Entença, he fined the said *alaminus* a certain middling sum of money, namely one hundred and fifty *solidi*, but did not care to liberate that boy from captivity nor from the error of Muslim depravity. Therefore indeed, since it is abominable that it be permitted to come about that there be a convert to their sect among the Muslims of Tivissa, [and] since such things, so grave, ought not to be tolerated by us in our lands, nor ought we to let pass such an outrage before of the eyes of the Creator, we firmly and strictly order and command you, having seen the present [letter], that you make the aforesaid boy to be delivered and handed over or given to our aforesaid bailiff of Tortosa or his deputy, such that it is possible to return him to his parents and to the Catholic faith, once the Saracen faith has been renounced, and then [to return him] among Christians that he may serve, with his parents, in Sarera[?].⁴⁷ [Know] that, if you neglect to fulfil our present order, we will proceed and make a proceedings against you and your goods just as is merited and required for just such a crime, [and] indeed we will do so as ought to be done through our bailiff of Tortosa and our other officials.

Dated at Valencia, 12 Kalends of March, in the year written above.

5. A.C.A., C. Reg. 107 f. 225r (18 March, 1297)

[King Jaime II] to his dear bailiff of Tortosa or his lieutenant, et cetera. Know you that we have sent a letter to the noble Lady Galbos, wife of the noble Berenguer d'Entença in the following form: "James, et cetera..." just as is noted in the previous letter recorded in this register. On account of which we order and command that having seen this letter, you immediately present the above letter to the said Lady Galbos and require or make her to be required to hand over to you the boy who is mentioned in the aforesaid letter. But, if the Lady Galbos delays or refuses to hand over to you the aforesaid boy, [then] compel her most strenuously in this matter [both] by means of her self and her goods.

Dated at Valencia, 12 Kalends of March, in the year written above.

⁴⁴Berenguer d'Entença was an important member of an Aragonese magnate family, which originated near Benabarre in the modern province of Huesca. [Cf. *Diccionari biogràfic*, 4 vols. (Barcelona, 1966), 2: 95.]

⁴⁵Now laying forty-five kilometres from the river mouth (due to the accumulation of the Ebro Delta), medieval Tortosa (in the modern province of Tarragona) was an important river and sea port and had a substantial Islamic community.

⁴⁶Modern Tivissa lies seven kilometres from the banks of the Ebro in the Province of Tarragona.

⁴⁷I am unable to locate this town, nor am I sure of the name, as it is abbreviated in the document.