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II Muslims in Christian Spain: From Arabic to Aljamía

Gerard A. Wiegiers

The Office of the Four Chief Judges of Mamluk Cairo and their views on Translating the Qur'an in the Early Sixteenth Century: Iberian Islam in a Global Context

1 Introduction

At the beginning of the sixteenth century the chief judges of the Office of the four Chief Judges of Mamluk Cairo gave their views on a number of religious issues in written responsa (fatwas), and did so very likely upon the request of a group of Mudejars from Aragón who had put some pertinent questions to them. The judges expressed these views shortly before the forced conversions to Christianity in the territories of these Mudejars, which led to the disappearance of publicly practiced Muslim religious life in the Iberian Peninsula and emigration of parts of the Mudejar population to Islamic territories.¹ Among the questions asked by the said Mudejars to the judges was one about translating the Qur'an into non-Arabic languages. In a previous article, the late Pieter Sjoerd van Koningsveld and myself edited and translated the unique Arabic manuscript that included these fatwas, adding a brief introduction, in which we did not go, however, into a detailed analysis of the fatwas.² In the present contribution, I will first of all discuss in the light of new evidence the historical context of these fatwas. Then, I will discuss the views of the four qadis on the Qur'an and discuss the

1 Pieter Sjoerd van Koningsveld and Gerard A. Wiegiers, "Islam in Spain during the Early Sixteenth Century. The Views of the Four Chief Judges in Cairo (Introduction, Translation and Arabic Text)," in *Poetry, Politics and Polemics. Cultural Transfer between the Iberian Peninsula and North Africa*, ed. Otto Zwartjes, Geert Jan van Gelder and Ed C.M.de Moor (Amsterdam, Atlanta: Rodopi, 1997).

2 See Kocku von Stuckrad, "Historical Discourse Analysis: The Entanglement of Past and Present," in *Discourse Research and Religion: Disciplinary Use and Interdisciplinary Dialogues*, ed. Jay Johnston & Kocku von Stuckrad (Berlin: De Gruyter, 2021).

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differences and commonalities between the views of the judges from a juridical and theological perspective. Next, I will ask how these views on the translation of the Qur'an should be interpreted against the wider background of Muslim views on translation, commentary and ritual use the translated Qur'an in different parts of the Mediterranean Islamicate world.

2 The Historical Context

In all likelihood, Islam in Medieval and early sixteenth-century Christian Iberia was not an exception to the developments in the Islamicate world with regard to its use of the vernacular in devotional and didactic practices. These developments have been analysed in recent years by Travis Zadeh with regard to Persian translations, and by Gulnaz Sibgatullina with regard to Turkic translations and vernacular religious literature.³ From these studies it appears that in the case of Christian Iberia, we are dealing with a corpus of religious texts, among which we find numerous manuscripts which include Qur'an and interlinear commentaries, often paraphrasing c.q. translating the text of the Qur'an in Romance in Arabic script.

In recent years it has also become clear that the use of the Arabic alphabet for religious texts in the vernacular —or Aljamiado, as it was called in Iberia— can also be seen as a “global” phenomenon found in many Muslim communities throughout the world.⁴ A difference with many other parts of the world is that in our case we are dealing with a phenomenon that occurs *in non-Muslim territory*. This fact not only has consequences for the *Islamic status* of the writings, it also raises a number of additional issues for Arabic and vernacular texts, including the Qur'an and the interpretation of the Qur'an. However, Muslim and non-Muslim territories were to a large extent entangled and numerous issues demonstrate the relevance of these entanglements with regard to the Qur'an.

³ Travis E. Zadeh, *The Vernacular Qur'an. Translation and the Rise of Persian Exegesis* (Oxford: Oxford University Press, 2012); Gulnaz Sibgatullina, “On Translating the Qur'an into Turkic Vernaculars: Texts, Ties and Traditions,” in *European Muslims and the Qur'an: Practices of Translation, Interpretation and Commodification*, ed. Gerard A. Wiegiers and Gulnaz Sibgatullina [forthcoming]; see also Gerard A. Wiegiers, *Islamic Literature in Spanish and Aljamiado: Yça of Segovia (fl. 1450), His Antecedents and Successors* (Leiden: Brill, 1994), 103.

⁴ Gulnaz Sibgatullina and Gerard A. Wiegiers, “Aljamiado” forthcoming; Manuel A. Vásquez and David Garbin, “Globalization,” in *The Oxford Handbook of the Study of Religion*, ed. Michael Stausberg and Steven Engler (Oxford: Oxford University Press, 2017).

I will discuss three examples. Explaining his reasons for cooperating with Cardinal Juan de Segovia, the Segovian scholar Yça de Gebir details in the middle of the fifteenth century his hesitations about cooperating in translating the Qur'an, balancing negative and positive factors. Very important here was the fact that he had been ordered by the Castilian King to do so.⁵ In addition, he felt that by interpreting (Sp. *ynterpretar*) the Qur'an in Romance he would be able to respond to allegations by some "cardinals" that Muslims hide the Qur'an as something unpleasing,⁶ and to answer to that lofty authority (God) who "tells us that a creature who knows something of the Law should show this to other creatures in a language they would understand." It was for that reason that he put it into Romance, with the commentary (*tafsir*) before him. The hesitation that can be noticed may well stem from a negative attitude towards teaching the Qur'an to non-Muslims.

This negative attitude also appears from a second example, that of the Leuven scholar of Arabic and the Qur'an, Nicolaes Cleynaerts (1493–1542), whose Tunisian Arabic teacher, the freed slave Kharûf al-Tûnisi, was confronted with a fatwa issued by the scholar from Fez, al-Yasîsatnî. The gist of that fatwa was that it was not allowed to teach this Christian student the Qur'an. The mufti based himself on the dominant point of view in the Malikite school of law that it is forbidden to teach unbelievers the Qur'an and Arabic script, for they may tarnish it.⁷

The third example is from the Morisco Aḥmad ibn Qāsīm al-Ḥajarî (c. 1570–after 1640), who tells us the following about a meeting in Paris in about 1611:

In that city I met one of their learned men who was studying Arabic. His name was Hubert.⁸ He said to me: "I will serve you in your needs, by talking on your behalf with the important people etcetera, and I do not want anything from you in return other than to read with you the books I have in Arabic and that you will explain some of their contents to me.

⁵ Wiegers, *Islamic Literature*, 70–71; see also the contribution by Davide Scotto in this volume.

⁶ This wording is found in the Spanish National Library [BNE], MS 2076; see Wiegers, *Islamic Literature*, 115, 236.

⁷ Van Koningsveld, "Mon Kharûf'. Quelques remarques sur le maître tunisien du premier arabisant néerlandais, Nicolas Clénard (1493–1542)," in *Nouvelles approches des relations islamochrétiennes à l'époque de la Renaissance* (Zaghouan: Fondation Temimi, 2000), 124.

⁸ Étienne Hubert, born in Orléans in 1568, was sent on a mission to Morocco in 1598. He was a physician to sultan Aḥmad al-Manṣûr for one year, which he also used for studying Arabic and collecting Arabic books. Upon his return to Paris he remained a physician and between 1600 and 1613 he was Royal lecturer of Arabic. He died in 1614. See Pieter S. van Koningsveld, Qasim al-Samarrai and Gerard A. Wiegers (eds.), *Aḥmad Ibn Qāsīm al-Ḥajarî: Kitāb Nāṣir al-Dīn Alā 'l-Qawm al-Kāfirīn (The Supporter of Religion against the Infidel)* (Madrid: CSIC, 2015), 130–31.

I told him: "Bring them to me!" One of the books he brought was the Noble Book.⁹

I asked him: "Where did you get this Qur'an?"

He answered: "In the City of Marrakesh. I learnt to read Arabic there. I stayed there by order of the Sultan of France to inform him in secret letters about everything happening in the court of the Sultan of Marrakesh, concerning his government and his movements". I became angry when I saw the Book of the Exalted God in the hands of an impure infidel.

The entangled nature of Muslim-Christian relations in Iberia also appears from the fact that Muslims in Christian territories consulted Muslim scholars in Muslim territories. This included consultations about the interpretation of the Qur'an. The Arabic manuscript BNE MS 4950, for example, includes twenty fatwas given by the Nasrid mufti al-Ḥaffār (d. 1408) to Mudejars from Aragon, who at the end of the fourteenth century had travelled to Granada to ask the questions and copy out the answers.¹⁰ That such contacts were indeed not an exception appears from the text that I will discuss here as the focus of my paper.

An Arabic manuscript from a village close to the Moroccan city of Tetuan includes fatwas dealing with questions asked by Mudejars from Aragon or Valencia. They date from the beginning of the sixteenth century, very likely between 1508 and 1513, and shed light on the views of the four Chief Judges of Cairo on various issues, including translating the Qur'an into non-Arabic languages.¹¹

First some words on the manuscript.¹² We are dealing with an Arabic manuscript that can be dated to the sixteenth century, written in an Andalusian/Maghribi hand that we find in other manuscripts copied in Christian Spain by Muslims living there. It was probably taken to Morocco by Muslims from Iberia during their migration. The manuscript includes a fatwa by the fourteenth-century Granadan scholar Ibn Rabi' on migration to Islamic Territory and the fatwas by the four chief judges. A date between 1508 and 1513 means that the fatwas were issued very shortly before the conquest of Mamluk Egypt in 1517 by the Ottomans. How were the questions asked? The text does not tell much about this. The identities of the questioners are not revealed; it is clear, though, that they were posed to all four and that the questions are meant to enlighten those Muslims who live in subjection (*al-muslimin al-mudajjanin*) in the land of the Christians (*bi-bilad al-naṣāra*).

⁹ The Qur'an.

¹⁰ Wiegiers, *Islamic Literature*, 83. I am preparing, with Mònica Colominas Aparicio, an edition and translation of these fatwas.

¹¹ Van Koningsveld and Wiegiers, "Islam in Spain," 136.

¹² Van Koningsveld and Wiegiers, "Islam in Spain,"; see also Van Koningsveld and Wiegiers, "The Islamic Statute of the Mudejars in the Light of a New Source," *Al-Qanṭara* 17 (1996).

3 The Questions and the Office of the Four Chief Qadis of Cairo

Five questions were being asked to the office of the four chief qadis of Cairo, all of them in a different way related to the position of Muslims living among Christians and in Christian territories, viz. about (1) whether it is allowed to consider the consequences of a possible loss of property in a Muslim's decision to leave Christian lands to perform the emigration (hijra) to Muslim territory, (2) whether it is allowed or not to return to Christian territory after performing the pilgrimage to Mecca (the hajj), (3) returning or not for religious scholars, whose emigration will cause a weakening of the faith of Muslims living among Christians, (4) whether it is allowed to return to Christian territories if someone has left his children there and wants to rescue them, and (5) about the use of non-Arabic languages in ritual and religious-educational contexts.

That the questions were submitted to the four chief qadis of Cairo and not, for example, to a Maliki scholar alone is interesting and deserves an explanation which we did not address in the earlier article. I will briefly explain why, on the basis of some recent historical studies.

The office of the four chief qadis of Cairo was founded by the Mamluk sultan Baybars in the thirteenth century. He did this, as Yossef Rapoport has demonstrated, in order to institutionalize flexibility in the Mamluk judicial framework.¹³ So, next to the Shafiite chief qadi, Baybars and his Mamluk successors appointed chief qadis from the other schools as well. Thenceforth, in theory, people would turn to the qadis of their own madhhab, while for particular issues one might turn to one of the qadis of one of the other schools. The office of the four chief qadis continued to function until the very end of the Mamluk period, when the Ottoman conquest in 1517 led to the end of legal pluralism and the beginning of the domination of the Hanafite school ("Hanafitization").¹⁴ The fatwas in question, therefore, date from a very late period in the history of the office of the four qadis, only a few years before Cairo was conquered in 1517.

¹³ Yossef Rapoport, "Legal Diversity in the Age of Taqlid: The Four Chief Qādis under the Mamluks," *Islamic Law and Society* 10, no. 2 (2003); Stephan Conermann and Gül Şen (eds.), *The Mamluk-Ottoman Transition. Continuity and Change in Egypt and Bilād al-Shām in the Sixteenth Century* (Bonn: Bonn University Press, 2017); Yousif Ali al-Thakafi, "The Diplomatic Relationship between the Ottoman Empire and the Mamluk Empire in the First Quarter of the Sixteenth Century" PhD Diss (Michigan State University, 1981).

¹⁴ Ahmed Fekry Ibrahim, "Al-Sha'rāni's Response to Legal Purism: A Theory of Legal Pluralism," *Islamic Law and Society* 20 (2013), 118.

How representative is it that all four qadis answered these issues? As the preceding passage suggests, it would have been far more logical to assume that Muslims from Iberia, where the Malikite school dominated, would have turned to the Malikite qadi only. And this was also the custom for them. So why consult the four qadis? What else do we know about their fatwas?

There is indeed some, but so far scanty, evidence about other examples of fatwas that were given by all four qadis.¹⁵ One instance are the fatwas about the views of the Egyptian Shafiite scholar Ibrāhīm b. ‘Umar b. Ḥasan al-Biqā‘ī (1407–1480), in his defense of the orthodox nature of quoting the Hebrew Bible and the Gospels in works of tafsir. Al-Biqā‘ī wrote a lengthy treatise called *Al-aqwāl al-qawīma fī hukm al-naql min kutub al-qadīma* (“the Just Verdict on the Permissibility of quoting from Old Scriptures”), quoting in it the positive views of the four qadis of Cairo whom he had asked to give fatwas in his defense against the attacks of those who rejected that this was permissible on account of *tahrīf*.¹⁶ Al-Biqā‘ī rejected in his work the legal position that the writings of Christians and Jews should not be quoted nor deserve a worthy treatment in such works on the Qur’an. He defended their use and indeed used them in his own commentary on the Qur’an, to explain qur’anic passages related to the Bible.

This example is the only other case I know in which the four views of the qadis survive. In addition to the remote possibility that there also exists a connection between al-Biqā‘ī’s case and that of the Mudejars and Moriscos,¹⁷ it seems certain that there were other examples of Muslims from Iberia who turned to the Mamluks (and the Ottomans) for help in the face of the direct threat to their religious and material interests, conquest of their territories, and imminent conversion to Christianity.¹⁸ In fact, Mudejars travelled to Egypt back and forth from the fourteenth century onwards. From these contacts it may be concluded

15 I am grateful to Walid Saleh (Toronto) who drew my attention to this example.

16 Walid A. Saleh, *In Defense of the Bible. A Critical Edition and an Introduction to al-Biqā‘ī’s Bible Treatise* (Leiden: Brill, 2008) 31–32.

17 Such a connection is suggested by the existence of two important manuscripts of his work which are extant in El Escorial and originally belonged to the Moroccan sultans. This also suggests that the aforesaid Morisco al-Ḥajarī may have had access to this source in his capacity as secretary to the Moroccan sultan, Zidān, between 1608 and the moment the sultan’s library was brought to El Escorial (Saleh, *In Defense of the Bible*, 43–44). Indeed, al-Ḥajarī hints at Muslim discussions about quoting the Gospels, see: Koningsveld, al-Samarrai and Wiegiers, *Aḥmad Ibn Qāsim Al-Ḥajarī: Kitāb Nāṣir al-Dīn*, 77.

18 See, for example, Pieter Sjoerd van Koningsveld and Gerard A. Wiegiers, “An Appeal of the Moriscos to the Mamluk Sultan and its Counterpart to the Ottoman Court: Textual Analysis, Context, and Wider Historical Background,” *Al-Qanṭara* 20, no. 1 (1999).

that the Mamluks acknowledged the Muslim identities of those who lived among Christians.¹⁹

In the framework of the present study, however, the most important question that arises is how the views on the translation of the Qur'an and the ritual use of non-Arabic are connected to the literary culture of Muslims in Iberia.²⁰ Let me now turn to these views.

The question reads as follows:²¹

Is it permissible or not to express the Venerable Qur'an (*al-ta'bir 'an al-Qur'an al-'aziz*) in non-Arabic words so that those who do not understand the Arabic language can understand it? And if you hold the second opinion (i.e. if it is not permissible), is it then *makruh* or *haram*?

The answer of the Malikite imam reads: "it is not permissible (*la yajuz*) to recite the Qur'an in any language other than Arabic for the person who is able to do so, except for a pupil to a teacher²², who perforce cannot do it otherwise."

There follow a few remarks on the *khutba* in non-Arabic, to which I will return below. By way of comment I would add that the Malikite imam seems to follow a view expressed by the fourteenth-century Egyptian Malikite scholar Khalil ibn Ishāq al-Jundī (d. 1365), in his well-known and authoritative *Mukhtaṣar fi-ʿl fiqh* (Summary of Religious Jurisprudence). His work can be seen as the backbone of Malikite *fiqh* as it was administered in the Nasrid courts from the fif-

19 This is meaningful in view of another point that I need to discuss briefly here. With regard to the position of Muslims outside Muslim territories, two contrary positions maybe be discerned. A hardline position stresses the dangers of a minority position, and the urge to perform the *hijra* to dar al-islam, and a tolerant, or flexible position. The fourteenth-century Granadan jurist Ibn Rabiʿ, whose points of view were adopted by the late fifteenth-century jurist from Fez, al-Wan-sharīshī, was among the hardliners. But the hardline position is not the one adopted by the four qadis. In their answers to the questions posed all four acknowledged the possibility of living a pious life as a "mudajjan", coinciding in this with the other, "flexible" position. See on this, for example, Van Koningsveld and Wiegers, "The Islamic Statute," 49–55.

20 Let me add, however, that perhaps the fact that all qadis answered the questions points to the possibility that the Mamluk authorities were aiming to send a message not only to Muslims in Christian Iberia, but also to other parts of the Muslim world, and to Muslims living in minority situations elsewhere. In other words, there may well be an element of globalization, a phenomenon we witness in the world from the late fifteenth century onwards. See Vásquez and Garbin, "Globalization."

21 The question about the Qur'an is the fifth and last, which may be meaningful, for the answer on how to deal with the Qur'an in Christian territory is of course also dependent on the question of whether your stay there is legal in the perspective of Muslim law.

22 Slightly revising our translation of 1996.

teenth century onwards, and continued to play an important role in the Maghreb when the Nasrid Kingdom had disappeared. It is also known to have circulated among the Moriscos.²³ Khalīl is even cited for this view in Morisco texts written in seventeenth-century Tunis.²⁴ According to Khalīl, then, it is reprehensible (*makrūh*) for someone to recite the Qur'an in a non-Arabic language (Ar. *a'jamī*), [even] if that person is able to do so. Thus, it seems that the Malikite chief qadi of Cairo expresses himself in the same way as his predecessor. He seems to say that it is only permissible, i. e., the second position, for Muslims living in Christian territories to recite the Qur'an in another language in a teaching setting to those who are learning it, and that it is reprehensible if one is able to recite it in Arabic. It is clear that in his answer the Malikite qadi limits himself to the public, ritual practice of reciting a translation of the Qur'an and does not refer to the uses of translations and comments in other settings.

The Hanbalite imam states the following: “Concerning the translation of the Qur'an (*tarjamat al-Qur'an*) into a non-Arabic language, that is forbidden, because of its *i'jāz* (i. e. miraculous character), which is in the wording and construction, and this [*i'jāz*] is lost when it is translated into non-Arabic.” This position of the Shafiite imam is that “It is not permitted to recite [*qirā'a*] the Qur'an in non-Arabic because in this way its *i'jāz*, intended by the Arabic text, will be lost.”

Both imams approach the matter from the theological perspective of the doctrine of *i'jāz*, but the answer of the Hanbafite imam is more categorical and general and does not consider the context, while the Shafiite imam limits himself to the context of recitation.

The Hanafite imam, finally, states that: “To explain (*tafḥīm*) the meaning (*ma'nā*) of the Qur'an in non-Arabic is permitted and it does not fall into the category of *makrūh*.”

This last, brief, answer matches what is known about the Hanafite position.²⁵ It is also interesting that the Hanafite qadi answers both parts of the question, and makes it understandable why at a very early stage in Hanafi dominated territories vernaculars such as Turkish and Persian were used for translations of

23 Muhammad Fadel, “Rules, Judicial Discretion, and the Rule of Law in Nasrid Granada: An Analysis of *al-Ḥadiqa al-mustaḥilla al-naḍra fī al-fatāwā al-ṣādira 'an 'ulamā' al-ḥaḍra*,” in *Islamic Law: Theory and Practice*, ed. Ron Gleave and Eugenia Kermeli (London: I.B. Tauris, 1997).

24 See Wiegiers, *Islamic Literature*, 212; Wiegiers, “Language and Identity.” There is a copy in Arabic among the manuscripts discovered in Almonacid de la Sierra: Madrid, Biblioteca Tomás Navarro Tomás [BTNT] MS RESC 50 (likely a commentary on the *Mukḥṭaṣar* by al-Damīrī).

25 See Tibawi, “Is the Qur'an translatable?” 8, 15.

the Qur'an, which were seen as explanations of its meaning and not as intimately and sensibly connected to the notion of *i'jāz*.

All imams, except for the Hanafite imam, add a few considerations about the use of non-Arabic in the sermon (*khuṭba*), which is relevant in view of the restrictions voiced, since sermons usually include quotations from the Qur'an. The Malikite imam does not allow preaching in a language other than Arabic for the preacher (*khaṭīb*) who is able to use Arabic, since the sermon is a substitute for two prostrations (*rak'as*) of the afternoon salat (*ṣalāt al-zuhr*).²⁶ The answer leaves open the possibility that a preacher who does not speak Arabic but rather a vernacular would use that language.

The Malikite imam does not allow commenting on the Qur'an in non-Arabic during the sermon, word for word or within a longer unity (of texts), since that would be against the sanctioned custom (*sunna*) of the Friday prayer.²⁷ The Hanbalite imam agrees with this point of view, but allows the *khuṭba* to be explained in non-Arabic after the sermon in Arabic, except for the Qur'anic verses.

The Shaffiite imam allows the community to deliver a sermon in non-Arabic if no one is able to do it in Arabic, but adds as a condition that someone within the community should learn to do so. If the time needed for that shall have passed, it is no longer allowed for that community to perform a collective *ṣalāt al-jum'a*, and instead an ordinary afternoon prayer (*ṣalāt al-zuhr*) must be performed. No precise time frame is mentioned, however.

4 Analysis and Conclusions

Let us first return briefly to the question asked by the Mudejars. Is it permissible or not to express the Venerable Qur'an (*al-ta'bīr 'an al-Qur'ān al-'azīz*) in non-Arabic words so that those [Muslims] who do not understand the Arabic language can understand it? And if you hold the second opinion (i. e., if it is not permissible), is it then *makrūh* (reprehensible) or *ḥarām* (forbidden)?

We have seen that, in their answers, three of the four qadis deal with the ritual uses of translations of the Qur'an. Only the Hanbalite qadi rejects translation in a general way, while the Hanafite judge allows translation in a general way. But none of the qadis rejects vernacular tafsir, which seems very much in line with the general opinion that translation in the sense of commentary was not

²⁶ Wa-lā yakhtubu 'l-qādir 'alā 'l-'arabiyya bi-ghayrihā, khuṣūṣan in qulnā: innahā badalun 'an rak'atayn wa-'l-imām al-qādir 'alā 'l-'arabiyya lā yaqra' bi-ghayrihā li-ghayrihi.

²⁷ Wa-ammā tafsirohā bi-ghayri 'l-'arabiyya jumlatan wāḥida aw shay'an fa-shay'an fa-dhālika mukhrijun lahā 'an sunnat al-jum'a.

only allowed but widely used in the Islamic world. Hence, the fatwas seem to aim at limiting the ritual and visible use of Romance. Taken together, all the answers, the common points and the differences among the four judges reflect a non-rejective, affirmative view on the possibility of Islam in the minority position. Their views about the obligation of the hajj, about travelling to Islamic territory and returning from there to Christian territory, explaining and commenting on the Qur'an in non-Arabic languages in didactic settings, all show that such acts fall within the scope and practice of all the orthodox Sunni schools of law.²⁸

Such views must have functioned discursively as an endorsement of Mamluk political and religious claims in the wider Mediterranean, and vis-a-vis Christian claims to power, especially those of Castile and Aragon. Those kingdoms still contained Mudejars, while mass conversions under duress of Muslims in the Kingdoms of Granada and Castile had turned the Muslims there into New Christians; they had revolted against the policies promulgated by their rulers that, in the views of the Mudejars, contradicted the agreements between the Granadan authorities and the conquering Christians during the rendition of Granada in 1491. Isabel and Fernando, the Catholic Monarchs, then sent their envoy, the historian Peter Martyr d'Anghiera (1457–1526), to Cairo to explain to the Mamluks why the Catholic Monarchs had been forced to decree the conversion of the Castilian Mudejars, a diplomatic action that may offer a further background to our fatwas.²⁹ This, in turn, means that we cannot detach the cultural role of the Qur'an in Europe from that of the Muslim world either, especially if we assume that the range of opinions included the opinion most open to the ritual and religious uses of vernacular: that of the Hanafite *madhhab* and the territories where it dominated. This is corroborated by the activities of Muslims in Christian territories regarding such practices, and in the last few decades it has become increasingly clear that these groups were far less marginal than has hitherto been assumed.³⁰

Thus we come across travel accounts (*riḥlas*) by Castilian Mudejars attesting to their hajj, written in Romance with Arabic script, as well as translations of the Qur'an, sermons in Spanish, etc.³¹ Many of the Romance texts are written in Ara-

28 This seems to confirm the conclusions of Jamal Abbed-Rabo, "Islamic Law and the Problem of Christian Hegemony in Late Nasrid Granada," PhD Diss. (The University of Chicago, 2020).

29 See Leonard P. Harvey, *Muslims in Spain, 1500 to 1614* (Chicago: The University of Chicago Press, 2005), 66–67.

30 See, for example, Wiegers, "Moriscos," in *Encyclopaedia of Islam*, THREE.

31 See on the hajj, for example, Pablo Roza Candás, *Memorial de ida i venida hasta Maka. La peregrinación de Omar Patón* (Oviedo: Universidad de Oviedo, 2019); On preaching: Linda G. Jones, *The Power of Oratory in the Medieval Muslim World* (Cambridge: Cambridge University

bic script, but increasingly the Latin script was chosen. This is the case for the so-called Toledo Qur'an, a complete quite literally paraphrasing commentary into Spanish which was copied in 1606, probably in Villafeliche by a Morisco scribe who, for practical reasons, used Christian letters instead of Arabic ones. The manuscript was not taken to Tunis like so many others, and is now preserved in a collection of manuscripts in Toledo.³² The examples can be extended with many more, and it is clear that the use of the Romance language in religious literature by Mudejars had started well before the Mamluk judges gave their opinions, thus making it unlikely that there is a historical connection between that practice and these fatwas. Unfortunately, nothing is known about their influence either within or outside the Mudejar and Morisco community. We know of no citations or other external historical evidence. However, as I have argued, the significance and scope of the fatwas as issued by the four chief qadis in Mamluk Cairo transcends the situation of Muslims in Christian Iberia, and suggests that it was the wider Muslim world in interaction with Muslims in minority situations that was the theatre of the communications and the discourse offered in these texts. That wider global context deserves further attention. Two interesting avenues for further research come to mind: the use of Scriptures in a comparative Muslim, Jewish and Christian perspective, and the question, which cannot be answered here, of why the Mudejars sought an answer from the office of the four qadis, and not from a scholar from their own school of law, a Maliki mufti. Were they seeking a broader answer, and therefore the flexibility that other points of view offered in their situation, for example the Hanafite, "liberal" view? This may well be the case. But these are questions that may be answered when more fatwas of the Office of the Four Qadis of Cairo become known, or we have more historical evidence of the fatwas in question.

Press, 2012), 93 ff; Olivier Brisville-Fertin, "La predicación aljamiada, en torno a la religiosidad mudéjar y morisca," in *Christian, Jewish, and Muslim Preaching in the Mediterranean and Europe*, ed. Linda G. Jones and Adrienne Dupont-Hamy (Turnhout: Brepols, 2019), passim; Kathryn Miller, *Guardians of Islam. Religious Authorities and Muslim Communities of Late Medieval Spain* (New York: Columbia University Press, 2008), 142; Luce López Baralt, *La literatura secreta de los últimos musulmanes de España* (Madrid: Trotta, 2009); and see the contribution by Adrián Rodríguez Iglesias in this volume on the phenomenon of the so-called abbreviated Qur'an in Arabic and Aljamiado among the Mudejars and Moriscos.

³² Consuelo López Morillas, *El Corán de Toledo. Edición y estudio del manuscrito 235 de la Biblioteca de Castilla-la Mancha* (Gijón: Trea, 2011), 27–29.

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