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## HOW DID ISLAM CONTRIBUTE TO CHANGE THE LEGAL STATUS OF WOMEN: THE CASE OF THE *JAWĀRĪ*, OR THE *FEMALE SLAVES*

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This article studies the transformations which took place in the legal status of slave women (*jawārī*), as a consequence of the spread of Islam among Arabs. The author analyzes religious, historical and social factors including the change of criteria in regard to war booty sharing, treatment of war prisoners, the introduction of the concept of *umm al-walad*, etc. The social impact of these transformations on slave women and on the families they belonged to, are also part of the focus of analysis.

Key words: Slavery; Female slaves (*jawārī*); *Jāhiliyya*; *Umm al-walad*; Captives; Concubine.

Este artículo analiza los cambios que se produjeron en el estatus legal de las esclavas (*yāwārī*) con la introducción y expansión del islam entre los árabes. El autor analiza tanto las causas religiosas como las debidas a factores históricos y sociales: cambio en los criterios del reparto del botín de guerra, en el trato y uso de las prisioneras de guerra, introducción del concepto de *umm al-walad*, etc. Igualmente, se estudia la repercusión social que tuvieron estos cambios para las esclavas y para las familias a las que pertenecían.

Palabras clave: esclavitud; esclavas (*yāwārī*); *yāhiliyya*; *umm al-walad*; cautivos; concubina.

The phenomenon of *jawārī*, or female slaves was familiar to Arabs in pre-Islamic times. Slaves were used for commonplace daily tasks; they were used to provide also sexual services to hedonists from among the elite class, in the urban society, either on private individual basis, or on a public commercial one. Some of the female slaves were employed by masters as hostesses to entertain and amuse customers in taverns or in houses of prostitution.

Despite the widespread existence of slavery, female slaves were not commonplace, they were usually concentrated in urban centers, especially in the trade center of Mecca. In fact, there were very few of these sexual hostesses reported by name in Arabic sources related to the pre-Islamic period. A dramatic change happened when the onslaught of the Islamic conquests brought increasing numbers of slaves, both men and women, who were taken into captivity and then sold into slavery. The numbers of slaves continued to swell as the map of these conquests continued to expand.

But once the Muslim conquests had ceased, and there was no longer an active source of slaves, the numbers began to dwindle. At the same time, Muslim societies continued to thrive and the need for slaves grew more acute, as did in particular the need for female slaves.

The Islamic *sharī'a*, the religious law of Islam, had authorized the slave master who had possessed female slaves to have sexual relations with any one of them without any religious or social commitment on his part.

Female slaves apparently filled a void in the sexual life of the Muslim man, since the Arab woman, or the Oriental one, bound as she was by conservative traditions and a complicated system of values of dignity and rules of modesty, could not give her husband what the female slave could.

## I

The repeated tribal raids during the period of *al-jāhiliyya* which preceded the advent of Islam, were an important source of providing prisoners of war who automatically became slaves of their captors. They could not restore their freedom without paying a convenient ransom, without which they could lose their freedom for ever, unless their captor would release them as an act of grace (*ex gratia*).<sup>1</sup>

As to the female captives, the warriors of the raiding tribe used to divide them among each other;<sup>2</sup> in the very moment the female captive was delivered, she became his own slave, and he would have the right to practice sexual intercourse with her, and take her as his concubine or *surriyya*, whether she was a married or not married

<sup>1</sup> The poem of the *jāhili* poet 'Amr b. Kulthūm makes it clear that taking prisoners was the main goal sought in that raids, the verse says: *fa-ābū bi l-nihābi wa-bi l-sabāyā, wa-ubna bi l-mulūki muṣaffadīna*. They returned back with full hands of spoils and prisoners of war, but we returned back guiding bound kings as our prisoners of war. See verse n.º 66 of the poem in al-Tabrizī, *Sharḥ al-mu'allaqāt*, ed. M. M. Ḥijāzī, Cairo, 1939, 231.

<sup>2</sup> Abū 'Ubayda, *Naqā'id Jarīr wa-al-Farazdaq*, A.A. Beavan (ed.), Leiden, 1905, 241.

<sup>3</sup> Sexual intercourse was considered legal according to the rules of war in the *jāhiliyya*, the verse of al-Farazdaq stands evident for that. The verse reads: *wa-dhāti halilim ankathnā rimāhunā halalan li-man yabnī bihā lam tuḷlaqi*. Our spears made it permitted to make sexual relation with a still married woman without being divorced. See *Diwān al-Farazdaq*, Beirut, 1987, II, 38. See also a poem of a contemporary poet with al-Farazdaq, in which he confirms that taking female prisoners by means of force, makes

woman.<sup>3</sup> Sexual relations could take place regardless of the possibility of whether or not the female captive would be ransomed and returned to her tribe.<sup>4</sup>

It should be pointed out that the release of the female prisoners in exchange for a material ransom was not a foregone conclusion, and many such female prisoners became their captors' permanent slaves.<sup>5</sup> There were also cases in which the captors did not wish to keep them and preferred to sell them to others.<sup>6</sup> For this purpose, the female prisoners were led to seasonal marketplaces which were held throughout the year in various parts of the Arabian peninsula.<sup>7</sup> The practice of trading in male and female slaves was so prestigious and prevalent that even the Meccan aristocracy did not scorn it. The outstanding example of this was 'Abdullāh b. Jud'ān, the rich and famous Meccan aristocrat leader, who amassed a fortune from his profession as *nakhhās*, or slave trader.<sup>8</sup>

The "clientele" of these female slaves must certainly have been affluent and came from among urban and tribal aristocracy, who bought female slaves for sexual purposes, and to whom these slaves consequently bore sons. Muḥammad b. Ḥabīb cites two lists of Meccan and tribal aristocrats who were born to Christian Greek slave women and to slave women from Ethiopia.<sup>9</sup>

A child born to a foreign mother of non-Arab origin was not a free citizen, he bore the epithet *hajīn*. Such a child was not legally recognized as a legitimate son and was not entitled to his share of his father's inheritance.<sup>10</sup> One of the most outstanding representatives of

it legal to practice sexual relation by her captor. A line of verse reads as follows: *Fa-mā ankahūnā ṭa'i'ina ban ātahum. / Wa l-ākin nakahānhā bi-asyāfinā qahrā*; al-Zamakhsharī, *Rabī' al-abrār*, S. Na'imī (ed.), Baghdad, n.d., III, 14.

<sup>4</sup> Abū 'Ubayda, *Naqā'id*, 283.

<sup>5</sup> Abū 'Ubayda, *Naqā'id*, 170, 1068.

<sup>6</sup> Ibn al-Athīr, *Al-Kāmil fī l-ta'rīkh*, Beirut, 1983, 4<sup>th</sup> ed., I, 344.

<sup>7</sup> In a poem ascribed to Ḥassān b. Thābit, the poet mentions the sale of prisoners of war in these markets. See Ibn Hishām, *Al-Sīra al-nabawiyya*, M. 'Abd al-Ḥamīd (ed.), Cairo, 1963, 579. A list of the seasonal markets which were held in Arabia is reported by M. Ibn Ḥabīb, *Al-Muḥabbar*, E. Lechten-Stier (ed.), Hyderabad, 1361 h., 263-268.

<sup>8</sup> Al-Mas'ūdī, *Murūj al-dhahab*, C. Barbier de Meynard (ed.), Paris, 1861, IV, 154. See also Ibn Sa'd, *Al-Ṭabaqāt al-Kubrā*, E. Mittwoch and E. Sachau (eds.), Leiden, 1917, III (1), 161.

<sup>9</sup> "Abnā' al-Rūmiyyat wa-abnā al-habashiyyāt": Ibn Ḥabīb, *Al-Muḥabbar*, 305-309.

<sup>10</sup> Ibn 'Abd Rabbīh, *Al-'Iqd al-farīd*, A. Amīn (ed.), Cairo, 1965, 3<sup>rd</sup> ed., VI, 129. Being a slave child, he was deprived from an equal share of the booty obtained in the war

this category of *hujanā*, the slave women's sons was the poet 'Antara al-'Absī, who was born to an Ethiopian slave woman and retained the status of slave. He did not bear his father's name nor that of the tribe until after he had performed an act of courage which saved the honor of the tribe.<sup>11</sup>

The change in 'Antara's status was not a unique case. Recognition of the sonhood of the concubine's child could always be given to sons born to slave women, if they happened to be able to prove their worthiness by means of their deeds (*idhā anjaba*, «if he was able to do noble and honorable deeds»).<sup>12</sup> While the born child was given the opportunity to gain the status of free man, there was no change in the legal status of the slave women who gave birth to the child, except that she would hence bear the title of *umm al-walad* or mother of male child.<sup>13</sup>

The change in the legal status of the *umm al-walad* did not occur in the *jāhiliyya* times, it took place later during the Islamic period, apparently as a necessary outgrowth of a sort of primitive and systematic reasoning, and not by virtue of any provision or instruction in the *Qur'ān* or in the *sunna* of the Prophet.<sup>14</sup> Islamic tradition attributes this change to 'Umar I, who declared that a slave master whose female slave born him a son, could not sell her, nor alienate her (i.e., give her as a gift), nor bequeath her to his descendants, but would have to keep her possessed to him all the days of his life, and only after his death she would become a free woman.<sup>15</sup> But it is very reasonable to assume that the imputation of this decree to 'Umar was anachronistic and not different from other decrees and regulations used to be attributed to him. Ascribing this decree to the second caliph was intended to grant a kind of religious legitimacy to a social arrangement needed

like his free brothers: Abū l-Faraj al-Iṣbahānī, *Kitāb al-Aghānī*, Cairo, Bulāq, 1285 h., VII, 150.

<sup>11</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, VII, 150.

<sup>12</sup> *Ibid.*, VII, 148. 'Antara was listed among a group of brave horsemen called *aghribat al-'arab* because of their color (all of them were Negroes): Abū Maṣṣūr al-Tha'ālibī, *Thimār al-qulūb*, M. Abū l-Faḍl Ibrāhīm (ed.), Cairo, 1956, 159-160.

<sup>13</sup> Schacht, J., *The Origins of Muhammadan Jurisprudence*, Oxford, 1969, 246 ff.; Brunschvig, R., "'Abd", *EP*, 1, 24-40.

<sup>14</sup> Schacht, *The Origins*, 264-5.

<sup>15</sup> Mālik b. Anas, *Al-Muwaṭṭa'*, M.F. 'Abd al-Bāqī (ed.), Cairo, 1951, 766; 'Abd al-Razzāq, *Al-Muṣannaf*, H. al-A'zamī (ed.), Beirut, 1972, VII, 287, 290, 292; al-Baghdādī, *Ta'rikh Baghdad*, Cairo, 1931, I, 267.

to secure social order in later period, without being based on *Qur'ān* nor the *sunna* of the Prophet.

In any case, if such a decree did exist on the part of 'Umar, it was not reflected at all in the will left by 'Alī, the fourth caliph, with regard to his nineteen slave concubines, in which he stated that any of these *sarārī* who was *umm walad* would be included in her son's portion of the inheritance after her fiscal value had been established.<sup>16</sup>

Another act carried out a few years later, this time by the governor of Medina, Marwān b. al-Ḥakam, also reflected complete disregard to the decree which was attributed to 'Umar, when Marwān ceded an *umm walad* of his own together with her infant child as a gift, to a certain freed slave of his own.<sup>17</sup>

This arrangement with regard to the fate and status of *umm walad* was in fact a latter-day compromise between two opposed views representing prevalent theological schools of thought in Iraq.<sup>18</sup> The trend of liberating the *umm walad* gained momentum and became an indisputable religious arrangement, as a result of that compromise. In fact, it has already been noted that the notion of the *umm al-walad* expanded to include a slave woman who had become pregnant but had not yet born her child.<sup>19</sup> Even a slave woman who had miscarried its embryo was granted the status of *umm al-walad* and was entitled to be freed from bondage.<sup>20</sup> In fact, in an attempt to flee the shackles of slavery, slave women would use various sly means to become pregnant by her master and thus gain the status of *umm al-walad*.<sup>21</sup>

## II

The growing interest of Muslim theologians with the *jawārī*, especially their juridical status, was stemmed from the fact that their num-

<sup>16</sup> 'Abd al-Razzāq, *Al-Muṣannaḥ*, VII, 288-298.

<sup>17</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, IX, 36.

<sup>18</sup> Schacht, *The Origins*, 264-265.

<sup>19</sup> Al-Ma'mūn, the caliph, once desired to acquire a famous slave girl called Mutayyam. Her master, who was fond of her, did not have the courage to refuse the caliph's wish and had no recourse but to make her pregnant. See al-Iṣbahānī, *Kitāb al-Aghānī*, VII, 31.

<sup>20</sup> 'Abd al-Razzāq, *Al-Muṣannaḥ*, VII, 295-296; al-Majlisī, *Biḥār al-anwār*, Beirut, 1983, 2<sup>nd</sup> ed., 100, 131.

<sup>21</sup> Ibn Buṭlān, "Risāla fī shirā al-raḡīq wa-taqlīb al-'abīd", *Nawādir al-makhtūṭāt*, A. Hārūn (ed.), Cairo, 1972, 2<sup>nd</sup> ed., 1, 351-389, 358.

bers began to increase continuously as a result of the Islamic conquests outside Arabia during the first half of the seventh century. The *jawārī* since that date began to be involved in most areas of the daily life in Muslim society, particularly the daily life of the elite class, e.g., merchants, landowners, financiers, authors, scholars, senior officials, and the ruling Arab aristocracy.

An ethnic-functional categorization attributed to the Umayyad caliph 'Abd al-Malik (65/684-86/705) cites several of the daily domains in which female slaves were involved. Among these are satisfying the master's sexual needs, bearing children, nursing infants, and household chores.<sup>22</sup> Ibn Buṭlān adds to this list domestic maintenance and babysitting.<sup>23</sup>

The purchase of *jawārī* did not serve solely as a response to the immediate needs of the slaveowner's family. In several cases, slaveowners purchased tens' hundreds, and even thousands of *jawārī* and kept them in their courts. This ostentatious purchase of *jawārī* and of male slaves was perceived as a symbol of the purchaser's social standing: the more slaves he had, the more his prestige and social status improved. The slaves' outward appearance and clothing also added to their master's prestige.<sup>24</sup>

The number of slaves accompanying the slavemaster as he strolled the streets or appeared at a social function, was an excellent indicator of his social standing.<sup>25</sup> Parade of such entourages became increasingly prevalent, since many members of the ruling Arab aristocracy were able to purchase significant numbers of male and female slaves. This arrogant conduct by the notable aristocrats was not condoned by the representatives of the regime, who warned against these parades, threatening the offending slavemasters with capital punishment or seizure of property should they continue the practice. Such a threat was made by al-Ḥajjāj against the Arab aristocracy in Kūfa when he was appointed governor of Iraq.<sup>26</sup>

Particularly great in number were *sarārī* (concubines) purchased by the Abbasid caliphs and by the Muslim Arab aristocracy, whether con-

<sup>22</sup> Ibn 'Abd Rabbih, *Al-'Iqd*, VI, 103; al-Abshīhī, *Al-Mustatraf*, Cairo, 1379 h., II, 223; Ibn Qayyim al-Jawziyya, *Akhbār al-nisā'*, Beirut, 1973, 11-12.

<sup>23</sup> Ibn Buṭlān, "Risāla fī shirā", 352.

<sup>24</sup> Ibn al-Jawzī, *al-Muntaẓam*, M.A. 'Aṭā (ed.), Beirut, 1992, XII, 356.

<sup>25</sup> *Ibid.*, XIII, 180.

<sup>26</sup> Ibn 'Asākir, *Ta'rīkh madīnat Dimashq*, Beirut, 1977, 2<sup>nd</sup> ed., IV, 56-57.

nected to the regime or not. A record number of *sarārī* was purchased by al-Mutawakkil (235/849-247/861), estimated at twelve thousand concubines, according to one version.<sup>27</sup> According to another version,<sup>28</sup> he had four thousand concubines and enjoyed sexual relations with all of them. Such exaggerated figures of *jawārī* possessed by an individual owner may not represent the real number, they rather reflect the multitude of the numbers of female slave in that period.

Aḥmad b. Marwān (453/1061), the separatist Kurdish ruler who controlled the emirate of Diyārbakr during the fifth/eleventh century, had five hundred concubines in addition to the female slaves who served them.<sup>29</sup> The commissioner of taxes at the gold mines on the Egyptian-Sudanese border in the year 441/1049, had three hundred *jawārī*, some of whom also served as *sarārī*.<sup>30</sup> Mālik b. Anas (713-795), founder of the school of religious law that bears his name, is also reported to have purchased three hundred *sarārī* and would spend one night a year with each of them.<sup>31</sup>

### III

The *jawārī* played a significant role in the diplomatic relations between the Muslim ruler and the rulers of foreign countries which bordered upon the Islamic states. In 273/886, a gift is reported to have been sent to the palace of the caliphate in Baghdad by the Queen of the Franks, which included twenty male slaves and twenty female slaves from the *ṣaqālība*.<sup>32</sup> A similar gift was sent by Basilus, the Byzantine emperor, to the separatist ruler of Aleppo in the second decade of the fifth/eleventh century.<sup>33</sup>

<sup>27</sup> Mez, A., *Die Renaissance des Islam*, Abū Rayda (transl.), Cairo, 1947, I, 271.

<sup>28</sup> Al-Mas'ūdī, *Murūj al-dhahab*, VII, 276.

<sup>29</sup> Ibn al-Athīr, *Al-Kāmil*, VIII, 92.

<sup>30</sup> Khasrū, N., *Safar nameh [riḥla]*, Y. al-Khashshāb (ed. and transl.), Cairo, 1942, 69.

<sup>31</sup> Ibn Ḥijja al-Ḥamawī, *Thamarāt al-awraq*, Abū l-Faḍl Ibrāhīm (ed.), Cairo, 1971, 280.

<sup>32</sup> Al-Abshīhī, *Al-Mustaṭraf*, II, 54. On the *ṣaqālība*, the meaning of the term, their homelands, how they were brought to the realm of Islam, one may consult D. Ayalon's comprehensive study with its far-reaching results: "On the Eunuchs in Islam", *JSAI*, 1 (1979), 67-125 (esp. 92-124); see also 'Athāmina, Kh., "Non-Arab Regiments and Private Militias During the Umayyad Period", *Arabica*, 63 (1998), 1-31.

<sup>33</sup> Abū l-'Alā' al-Ma'arrī, *Risālat al-ṣāhil wa l-shāhij*, 'Ā. 'Abd al-Raḥmān (ed.), Cairo, 1984, 2<sup>nd</sup> ed., 691.

Although the number of male and female slaves sent as gift was meager, it was apparently significant, particularly in light of the fact that the slave trade and the supply of slaves to the local market would sometimes dwindle during times when security on the borders and along the trade routes became precarious as pointed out by the geographer al-Muqaddasī.<sup>34</sup>

Offering a ruler *jawārī* as a present was considered an optimal expression of gratitude and a very friendly gesture to gain the good will of the ruler. Government officials or district governors would take advantage of the opportunity to send such gifts to the caliph's court. Particularly prominent in this context was the gift sent by the governor of Khurāsān, Ibn Ṭāhir, to the caliph al-Mutawakkil (847-861) when the latter acceded to the throne, which consisted of two hundred *waṣīf* and *waṣīfa*, pre-adolescent male and female youths.<sup>35</sup>

Wives of the caliphs who wished to please their husbands and prove their loyalty to him, chose *jawārī* and presented them to their husbands as gift. One such example was the wife of al-Rashīd (176/786-193/803), who gave her husband ten *jawārī*, two of whom bore him sons al-Ma'mūn and al-Mu'taṣim who were appointed caliphs after his death respectively.<sup>36</sup> Earlier, the wife of the Umayyad caliph Yazīd b. 'Abd al-Malik (101/719-105/723) had presented her husband a *jāriya* in order to persuade him to appoint her son as heir apparent.<sup>37</sup> The outstanding example in this respect was the gift of Sarah to Abraham, the forefather of Jews and Arabs, when she presented him Hagar her Egyptian female slave, who gave birth to Ismael, his son.

#### IV

*Jawārī* in the Islamic countries came from all corners of the world. In a treatise written in the fifth/eleventh century, the author Ibn Buṭlān provides a physical and characteristic description which serves to dis-

<sup>34</sup> Al-Muqaddasī, *Aḥsan al-taqāsīm*, M.J. de Goeje (ed.), Leiden, 1906, 242.

<sup>35</sup> Al-Mas'ūdī, *Murūj al-dhahab*, VII, 281. According to another version, the present of Ibn Ṭāhir included 400 young slave girls. Al-Iṣbahānī, *Kitāb al-Aghānī*, XIX, 133; al-Nuwayrī, *Nihāyat al-'Arab*, Cairo, n.d., V, 112; Ibn al-Sā'ī, *Nisā' al-khulafā'*, M. Jawād (ed.), Cairo, n.d., 92.

<sup>36</sup> Al-Nuwayrī, *Nihāyat al-'Arab*, V, 93.

<sup>37</sup> *Ibid.*, V, 59; al-Iṣbahānī, *Kitāb al-Aghānī*, XII, 155.



tinguish between various types of female and male slaves according to their geographic and ethnic origin. He then provides a list of races and lands, citing the unique features of each race.<sup>38</sup> From this treatise and other sources it becomes clear that the *jawārī* came from nineteen disparate regions and countries and a variety of ethnic origins.<sup>39</sup> These, of course, were in addition to second and third generation *jawārī* who were born to slave parents in Islamic cities and who bore the title *muwalladāt*.<sup>40</sup> Included in this group were *jawārī* who were born and grew up in cities of Hijāz such as Mecca, Medina, and Tā'if, or in Yemen.<sup>41</sup> But *muwalladāt* of Baṣra, in Iraq, particularly those of fair complexion [*ṣufīr*] were considered the finest type of all because they were beautiful, intelligent, and skilled.<sup>42</sup>

The female slave market was fed by four distinct resources. Two of these had to do with the war effort related to the campaigns of conquest carried out by the Muslims in the framework of *jihād*. These battles created a tremendous number of prisoners of war of both genders, who were considered part of the spoils of war, *ghanīma*, which were divided among the warriors.<sup>43</sup> These huge numbers of prisoners were enslaved as a result of these wars. It has been said, for example, that Mūsā b. Nuṣayr, who invaded the Iberian Peninsula during the reign of al-Walīd b. 'Abd al-Malik, brought thirty thousand virgin maids back with him from among the Visigoth aristocracy.<sup>44</sup> The number of prisoners of war allotted to the state treasury, *bayt al-māl*, was estimated at sixty thousand, which was the fifth of the total number of prisoners.<sup>45</sup> As for the accuracy of these estimated figures they should certainly not be taken at face value as they have been transmitted; however, they do serve as an indication that the number of prisoners was particularly high.

<sup>38</sup> Ibn Buṭlān, "Risāla fī shirā", 372-378.

<sup>39</sup> *Ibid.*, 373-378; Ibn Qutayba, *Al-Ma'ārif*, Th. 'Ukāsha (ed.), Cairo, 1969, 2<sup>nd</sup> ed., 375-394; al-Suyūṭī, *Husn al-uswa*, 284.

<sup>40</sup> Ibn al-Athīr, *Al-Nihāya fī gharīb al-ḥadīth wa l-athar*, T. al-Zāwī and M. Ṭināhī (eds.), Cairo, 1963, V, 225.

<sup>41</sup> Ibn Buṭlān, "Risāla fī shirā", 373-375.

<sup>42</sup> Al-Nuwayrī, *Nihāyat al-'Arab*, V, 71, 73, 82.

<sup>43</sup> Al-Balādhurī, *Futūḥ al-buldān*, Ṣ. al-Munajjid (ed.), Cairo, 1956-7, 236; Zaydān, G., *Ta'rikh al-tamaddun al-islāmī*, Beirut, 1967, II, 326; Goldziher, I., *Muslim Studies*, S. M. Stern (ed.), C. R. Barber and S. M. Stern (transl.), London, 1967, I, 119.

<sup>44</sup> Ibn al-Athīr, *Al-Kāmil*, IV, 124.

<sup>45</sup> *Ibid.*, IV, 112.

While the supply of slaves from the spoils of war could be characterized as a one-time event, the Arabs had another more permanent source of slaves, in accordance with their *ṣulḥ* (capitulation) agreements with neighboring countries and other ethnic groups. These treaties stipulated terms under which the local population was obliged (in addition to paying the annual tribute) to supply slaves of both genders. The number of these slaves varied according to the size of the local population and the residents' objective ability to serve.<sup>46</sup> Weak communities and groups lacking in resources, such as the residents of the Barqa region and the Berber Lawāta tribe in North Africa, were given the opportunity to pay the annual tribute in slaves taken from the tribe, rather than in currency or agricultural product.<sup>47</sup>

These agreements continued to be valid and were implemented for many decades after they were signed. In 200/815, over 150 years after the province of Khurāsān was conquered, slaves continued to be sent by the governor of that province to the state treasury in Baghdad in accordance with the capitulations signed at the time of conquest. Ṭūlūn, father of Aḥmad b. Ṭūlūn, the separatist leader who gained control of Egypt and considerable parts of Syria between the years 870 and 905, was sent by the governor, Nūḥ b. Asād, along with others, in the framework of the annual tribute levied from this province.<sup>48</sup>

To receive the slaves sent from the far provinces, special buildings were set up in Baghdad, the capital, and in other provincial centers as well, known as *dār al-raḳīq*, «slave house». These buildings served as temporary housing for the slaves; the most famous of them was the one built in Baghdad, which was later named after a residential district in that city.<sup>49</sup> A similar building was erected in Fuṣṭāṭ, the capital center

<sup>46</sup> According to the terms of the capitulation signed with the Nubian people, the latter had to supply four hundred slaves annually to the Muslim representatives. See al-Hamdānī, *Kitāb al-buldān*, Beirut, 1988, 74; Ibn Khurdādhebh, *Al-Masālik wa l-mamālik*, M. Makhzūm (ed.), Beirut, 1988, 78. The province of Khurāsān had to supply over two thousand slaves a year. See also al-Hamdānī, *Kitāb al-buldān*, 297. More than one thousand slaves were supplied every year by the Khazar and some Armenian regions. See: al-Balādhurī, *Futūḥ al-buldān*, ed. al-Munajjid, Cairo, 1957, 245.

<sup>47</sup> Al-Qāsim b. Sallām, *Al-Amwāl*, Kh. Harrās (ed.), Cairo, 1968, 214, 267.

<sup>48</sup> Abū Muḥammad al-Balāwī, *Sīrat Aḥmad b. Ṭūlūn*, M.K. 'Alī (ed.), Cairo, n.d., 33; al-Maqrīzī, *al-Khiṭaṭ al-maqrīziyya*, Cairo, 1270 h., I, 313.

<sup>49</sup> Ibn Jarīr al-Ṭabarī, *Ta'rikh*, M.J. de Goeje (ed.), Leiden, 1879-1901 (index); al-Mas'ūdī, *Murūj al-dhahab*, VI, 460; Yāqūt (the same article); Ibn Sa'd, *Al-Ṭabaqāt*, VII (7), 81.

of Egypt, which was later known as *birkat al-raqīq*, «pool of the slaves». <sup>50</sup> This institution and its inhabitants were put under the supervision of the central or provincial commissioner of the treasury. <sup>51</sup>

Yet another source that supplied slaves to the Muslim market was thievery. Bands of thieves from the coast of West Africa, south of the Sahara in Ghana and Takrūr, would raid the adjacent areas, kidnap Negro slaves, and bring them to the markets of North Africa. <sup>52</sup> Other bands of thieves would carry out their raids on the East coast of Africa, bordering Egypt, and would bring slaves from the tribes of al-Buja. <sup>53</sup> Similar raids took place in the eastern lands bordering on the territory controlled by the Muslims. In the East, the raiders would infiltrate the land of the Daylam or the territory of the Turks and sell their human spoils in local markets. <sup>54</sup>

Since the slaves became highly sought-after merchandise, the slave trade became a profitable branch of commerce on both a local scale (i.e., within the Islamic countries) and an international one. Particularly famous was the international trade route from Europe via North Africa, Egypt, Arabia, and on to the southern shores of China. Another led across the shores of the Mediterranean and eastward to Baghdad. The traders who ran this route were inferior merchants known as *radhaniyya*. <sup>55</sup> The slaves were transferred to the provincial markets, some of which served as transit points from which they were moved on to the internal marketplace which served the general Muslim public. Such markets existed both in the West and in the East. Particularly prominent in the East was the marketplace of Samarqand in Transoxania, which served as a collection point and depot for slaves from the adjacent regions. It was known for the excellent quality of the slaves it exported. <sup>56</sup> Another slave market was that of Bukhārā; the slave markets in that city were held inside and outside the city walls, on a monthly rota basis. <sup>57</sup> A third market was held in Herat, a city currently located on the western border of Afghanistan,

<sup>50</sup> Ibn ‘Abd al-Hakam, *Futūḥ Miṣr wa-akhbārīhā*, C. C. Torrey (ed.), Leiden, 1920, 92.

<sup>51</sup> Ibn ‘Asākir, *Tārīkh*, V, 44.

<sup>52</sup> Ibn Khaldūn, *al-Muqaddima*, Y. A. Dāghir (ed.), Beirut, 1960, 93.

<sup>53</sup> Khasrū, *Safar nameh*, 73.

<sup>54</sup> Al-Iṣṭakhrī, *Masālik al-mamālik*, M. J. de Goeje (ed.), Leiden, 1927, 2<sup>nd</sup> ed., 205; Ibn Khaldūn, *al-Muqaddima*, 112.

<sup>55</sup> Ibn Khurdādhebh, *Al-Masālik*, 131-132.

<sup>56</sup> Al-Iṣṭakhrī, *Masālik*, 205; Ibn Khaldūn, *al-Muqaddima*, 112.

<sup>57</sup> *Ibid.*, 314.

adjacent to Iran. At that market, non-Muslim slaves from an adjacent region known as al-Ghawr were sold.<sup>58</sup> Yet another market was held on the parallel side, in the town of Bāb al-Abwāb in the region of Tabaristan, to which slaves were brought from the adjacent lands and regions.<sup>59</sup> At the western side of the empire was the market of Zawīla, a town located on the border between North Africa and the Sahara, to which Negro slaves were brought from the southern Sahara.<sup>60</sup> The Markets in North Africa were particularly active as transit points for both light-skinned slaves (*bīd*) and dark-skinned ones (*sūd*); both were brought via al-Andalus and the Sahara.<sup>61</sup>

Another type of slave trade, albeit one which took place on a smaller scale, was barter trade. This kind of trade took place particularly between the merchants of Egypt and those of Sudan and the Nūba region, where slaves were exchanged for foodstuffs.<sup>62</sup>

## V

The sexual role of the *jawārī* occupied a central position among the other household and social functions which they fulfilled in Arab society. But in a society that afforded such great importance to the issue of the noble parentage of its sons, being the son of a female slave was not easy. The sons of slave women became the target of contempt and derision.<sup>63</sup> Even caliphs and sons of caliphs who were born to women that were *sarārī* were not saved from scorn. The caliph al-Ma'mūn was derided in one poem because his mother was a *jārīya*.<sup>64</sup> The Arab aristocracy was appalled at the idea of their daughters' marrying princes born to mothers who were *umm walad*.<sup>65</sup> The Umayyad governor of Iraq, Khālīd al-Qaṣrī, was scorned because he was the son of a *jārīya*.<sup>66</sup> The contempt for sons of *jawārī* was not

<sup>58</sup> *Ibid.*, 281.

<sup>59</sup> *Ibid.*, 184.

<sup>60</sup> Al-Ya'qūbī, *Kitāb al-Buldān*, Beirut, 1988, 102; al-Iṣṭakhrī, *Masālik*, 41, 44; Yāqūt (*Zawīla*).

<sup>61</sup> Al-Iṣṭakhrī, *Masālik*, 44, 45; al-Hamdānī, *Kitāb al-buldān*, 80.

<sup>62</sup> Al-Qāsim b. Sallām, *Al-Amwāl*, 215.

<sup>63</sup> Goldziher, *Muslim Studies*, I, 115-116.

<sup>64</sup> Ibn Qutayba, *Al-Ma'ārif*, 387.

<sup>65</sup> Ibn Qutayba, *Uyūn al-akhbār*, Cairo, 1963, IV, 12.

<sup>66</sup> Al-Balādhurī, *Ansāb al-ashrāf*, Kh. 'Athāmīna (ed.), Jerusalem, 1993, VI (B), 108; al-'Uyūn wa l-ḥadā'iq, M. J. de Goeje (ed.), Leiden, 1870, 83.

limited to the social plane; it also had an impact upon succession to the throne in the days of the Umayyad dynasty. The Umayyads kept the sons of their concubines away from the post of the caliphate, since they were not accepted by the Arab society.<sup>67</sup> The Umayyad rulers themselves were convinced of such arrangement; in fact, their reasons for excluding such sons from the caliphate position did not stem solely from their fear not to excite the public order. Another reason stood actually behind their conduct; it was connected with a messianic belief according to which the Prophet had foretold the end of the Umayyad regime in the moment a prince born to an *umm walad* would ascend the throne of the caliphate. This apocalyptic utterance attributed to the Prophet was referred to in a dialogue which took place between caliph Hishām b. ‘Abd al-Malik and Zayd b. ‘Alī, the prominent ‘Alid leader who lusted for power and led an unsuccessful shi‘ite rebellion in Kufa in 122/739 in the hope of achieving his goal.<sup>68</sup>

But the social and political reluctance felt toward the sons of the *sarārī*, which was evident during the reign of the Umayyads, began to dwindle. There were several factors which brought about the decline in the obstinate, conservative attitude toward the sons of *jawārī* and toward the phenomenon of mixed marriage. Among these there were a more understanding attitude presented by Islam toward the institution of slavery, the decline in the basic concepts of the *Jāhili* heritage in favor of the basic values of Islam, and the increasing number of *jawārī* which resulted in an ever-increasing number of births to non-Arab mothers among the Arab aristocracy, both as a result of legal matrimony and via the institution of concubinage. Clear evidence of this change of attitude may be seen in the fact that only three of the Abbasid caliphs, whose number was 38, were born to Arab mothers, while the rest were born to freed slave women (*ummahāt awlād*).<sup>69</sup> For the most part, the sons and daughters of these caliphs, too, were offspring of *jawārī*. A few examples may shed light on the turnabout which took place: Mūsā al-Hadī, the fourth caliph in this dynasty be-

<sup>67</sup> «*Kānat Banū Umayyah, latastakhlif Banī l-Imā*»; *wa-qālūlā taṣluḥ lahum ‘Arab*». Ibn ‘Abd Rabbih, *al-‘Iqd*, VI, 130, 128.

<sup>68</sup> In this dialogue, Zayd is asked by Hishām: «How could you claim the position of caliph despite the fact that you are the son of a *jāriya*?», al-Balādhurī, *Ansāb al-ashraf*, VI (B), 84; al-Tabarī, *Ta’rīkh*, II, 1676; al-Zamakhsarī, *Rabī’ al-abrār*, III, 33.

<sup>69</sup> *Pseudo al-Jāhiz, al-Maḥāsin wa l-addād*; F. ‘Aṭawī (ed.), Beirut, 1969, 230-231.

got sons by *ummahāt awlād*.<sup>70</sup> The 'Alīd *imām*, al-Kāzim, who was classified as the seventh *imām* according to the theory of the shī'ite group known as the *ithnā 'ashariyya* ("twelvers"), had 37 sons, all of whom were born to *ummahāt awlād*.<sup>71</sup> His father, the *imām* Ja'far al-Šādiq, was married to four women, three of them were *jawārī*; it was only those three that bore his sons.<sup>72</sup>

In this context, it is sufficient to examine the *nasab* and the biographical literature in order to see how common the phenomenon was in Arab society; in fact, it extended to all sectors of the Islamic countries of the Middle Ages.

In two satirical poems quoted by al-Mubarrad, the third/ninth century scholar, the poet depicts the extent of the phenomenon and its expansion throughout the Muslim state.<sup>73</sup>

The change in attitude toward the phenomenon of the *jawārī* began to become evident in series of proverbs and expressions attributed to senior figures from the ruling aristocracy as well as to writers and Islamic theorists. These expressions were designed to grant social legitimacy to the phenomenon, while at the same time allowing for the practical benefit of marrying *jawārī* and begetting sons by them. One such tradition states that the people of Medina shunned marriages with *jawārī* until three sons were born: 'Alī b. al-Ḥusayn, al-Qāsim b. Muḥammad and Sālim b. 'Abdullāh who were superior to all of their peers and became leaders in the fields of religious jurisprudence, erudition, and religious faith, and that they brought in their wake a surge of marriages to *jawārī*.<sup>74</sup>

The importance of this tradition lies in two aspects: the first is that the change took place in the attitude of the people of Medina, which was the capital of Islam in the days of the Prophet Muḥammad and in the days of the four Righteous Caliphs that succeeded him; hence, the prestige attributed to this city and the reverence with which it was regarded. Furthermore, the people of Medina were the elite of the Islamic religious aristocracy which produced the scholars and theologians. The second aspect was connected to the identity of the three

<sup>70</sup> Ibn al-Athīr, *Al-Kāmil*, V, 80.

<sup>71</sup> Al-Majlisī, *Biḥār al-anwār*, 48, 283-287.

<sup>72</sup> *Ibid.*, 47, 241.

<sup>73</sup> Al-Zamakhsharī, *Rabī' al-abrār*, III, 32.

<sup>74</sup> Ibn 'Abd Rabbih, *Al-'Iqd*, IV, 128; al-Zamakhsharī, *Rabī' al-abrār*, III, 19; al-Abshihī, *Al-Mustatraf*, II, 75.

men who were born to *ummahāt awlād*: these were the respective grandchildren of ‘Alī, Abū Bakr and ‘Umar, three of the four first caliphs in Islam. The fact that these men had *jawārī* mothers did not harm them; on the contrary, it was the secret of their success, as the aforesaid tradition teaches us. In this context, ‘Umar is reported to have recommended to one Meccan clan that they should marry foreign women in order to improve the stock of their descendants.<sup>75</sup> Another tradition glorifies the descendants of foreign mothers, particularly of Persian women.<sup>76</sup> Marrying *jawārī* was designed, in addition to improving the stock of the descendants, to lighten their swarthy skin. To this end, Mu‘āwiya, the first Umayyad caliph, gave a *jāriya* of Greek origin as a gift to one of his courtiers so that she would born him white sons, sayin to him: «*bayyid bihā waladak*».<sup>77</sup> As for men who were lacking in means and therefore found it difficult to marry a free woman, it was recommended that they marry a woman from among the *jawārī*.<sup>78</sup>

The sons of mixed marriages were no longer the target of derision, as had previously been the case. They were now regarded with tolerance, out of an awareness that the origin of one’s mother did not detract from the noble origins about which the Arabs demonstrated a particular care. Two anonymous poems reflect this new trend.<sup>79</sup> When marriage to a free Arab woman was weighed in the balance against marriage to a slave woman, the scales tipped in favor of the latter, who was preferred because she could be obtained at a lower cost, provided better service to her husband, and did not incur numerous daily expenses.<sup>80</sup> The predilection for *jawārī* also stemmed from sexual considerations, since the *sarārī* were less particular about modesty and dignity during sexual relations than was the Arab woman, who was bound by a heavy burden of conservative tradition.<sup>81</sup> In this context, one prince from the Umayyad dynasty is re-

<sup>75</sup> Ibn ‘Abd Rabbih, *Al-‘Iqd*, VI, 117.

<sup>76</sup> Ibn Qutayba, *‘Uyūn al-akhbār*, IV, 63; al-Zamakhsharī, *Rabī‘ al-abrār*, IV, 299.

<sup>77</sup> Ibn ‘Asākir, *Ta‘rīkh*, IV, 92; Ibn Ḥajar al-‘Asqalānī, *Al-Iṣāba*, Cairo, 1328 h., II, 367. A poem ascribed to Ḥātam al-Ṭā‘ī refers to the white children born by the slave women, Ibn ‘Abd Rabbih, *Al-‘Iqd*, VI, 131.

<sup>78</sup> Al-Nuwayrī, *Nihāyat al-‘Arab*, IX, 123.

<sup>79</sup> Ibn ‘Abd Rabbih, *Al-‘Iqd*, VI, 128; al-Abshīhī, *Al-Mustaṭraf*, II, 223.

<sup>80</sup> *Pseudo al-Jāhīz*, *al-Mahāsīn*, 230.

<sup>81</sup> Al-Zamakhsharī, *Rabī‘ al-abrār*, IV, 281; *pseudo al-Jāhīz*, *al-Mahāsīn*, 230.

ported to have said that he could find no justification for a man who has *sarārī* to seek a marriage with a free Arab woman.<sup>82</sup>

Taking all of this into consideration, it is no wonder that high-ranking individuals, particularly the caliphs showed extreme passion for some of their *jawārī*, whether or not they had born them sons. They could not tolerate being away from them for even a short time, and would therefore bring them along on their military campaigns, as did the three caliphs al-Ma'mūn, al-Mu'taṣim, and al-Wāthiq.<sup>83</sup> Al-Rashīd, father of the first two caliphs, ardently loved a Christian *jāriya* named Haylāna, whom he mourned on the day of her death and for whom he personally wrote a dirge and even encouraged poets to compose songs of eulogy in her memory.<sup>84</sup> Marwān II, the last Umayyad caliph, left his *jāriya* in Ramla in Palestine while fleeing to Egypt in the face of the Abbasid armies, and wrote a poem in which he expressed his longing for her and the feelings of pain and anguish over his separation from her.<sup>85</sup> When Habbāba, the *surriyya* of Yazīd II, the Umayyad caliph, died, the caliph was overcome with emotion and got incapable of believing that she had died that he ordered her body unburied for several days and nearly went insane over her death. He did not survive long after her.<sup>86</sup> It was reported that al-Ma'mūn had fell in love with the *jāriya* of his *wazīr*, al-Faḍl b. Sahl; in order to win her for himself he had conspired against the *wazīr*, her master and send someone to assassinate him.<sup>87</sup>

## VI

The *jawārī* were not a homogenous group. In addition to differences in ethnic origin, skin, color and intellectual capacity, there were differences in the profession employed by each of them. The most prestigious profession for a slave woman was that of singing. In addition to possessing a natural talent, the singer needed to undergo continuous and arduous rehearsal and exercise. A set of requirements and

<sup>82</sup> Al-Zamakhsharī, *Rabī' al-abrār*, IV, 290.

<sup>83</sup> Ibn Ṭāhir Ṭayfūr, *Baghdād fī ta'rīkh al-khilāfa*, Baghdad, 1968, 153; Ibn 'Abd Rabbih, *Al-'Iqd*, VI, 62; Ibn al-Sā'ī, *Nisā' al-khulafā'*, 55.

<sup>84</sup> Ibn al-Sā'ī, *Nisā' al-khulafā'*, 54-55; Yāqūt (*hawd Haylana*).

<sup>85</sup> Ibn 'Abd Rabbih, *Ṭabā'i' al-nisā'*, M. Salīm (ed.), Cairo, 1985, 231.

<sup>86</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XV, 122.

<sup>87</sup> Al-Mas'ūdī, *Murūj al-dhahab*, VII, 2-3.



criteria was established, under which candidates for this profession were selected.<sup>88</sup> Muslim society took a particular interest in song and singers, and extensive literature has been written on the subject. One such work which has come down to us is the book *al-Aghānī*, by Abū al-Faraj al-Iṣbahānī, in which the biographies of male and female singers comprises a central part. The book contains a list of famous female singers, including over twenty singers who were leaders in their field and represented the various schools of artistic song. Most of them had access to the court of the caliphs and had even been purchased by the caliphs, through special agents.<sup>89</sup>

The beginnings of singing as a profession happened in Medina during the Umayyad period. Among the first singers was one named ‘Azza al-Maylā’ whose admirers were no less than prominent *ṣaḥāba*, Companions of the Prophet. Among these *ṣaḥāba* were the poet of the Prophet Ḥassān b. Thābit and his brother Zayd, who was chosen by the caliph ‘Uthmān to be the coordinator of the committee responsible for the writing down of *Qur’ān*.<sup>90</sup> The most remarkable singers of the first generation, male and female, learned their vocation in the studio of ‘Azza.<sup>91</sup>

The founder of the Medina school of singing was the singer Jamīla, her home became a studio for dozens of budding vocalists who paid a considerable fee for her tutelage.<sup>92</sup> When she made pilgrimage to Mecca, she was accompanied by the foremost male and female singers, as well as by poets and numerous aristocrats, and no less than fifty female singers in training joined her on her trip, similar number of married singers joined her in this journey after they got the permission from their husbands.<sup>93</sup> Because of the distinguished position and impeccable reputation she acquired, she refused to appear in taverns or public houses, but agreed to sing only in her own home, and her admirers from among the Arab and Muslim aristocracy would come there to hear her singing.<sup>94</sup>

<sup>88</sup> Al-Nuwayrī, *Nihāyat al-‘Arab*, X, 117.

<sup>89</sup> A list of twenty-one female singers appears in *ibid.*, X, 111-117. See also Al-Iṣbahānī, *Kitāb al-Aghānī* (index).

<sup>90</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XVI, 14-15; see also Ibn ‘Abd Rabbih, *Al-‘Iqd*, VI, 22. On the appointment by ‘Uthmān, see: Ibn ‘Asākir, *Ta’rīkh madīnat*, 996.

<sup>91</sup> Al-Nuwayrī, *Nihāyat al-‘Arab*, V, 50-52.

<sup>92</sup> Al-Nuwayrī, *Nihāyat al-‘Arab*, V, 41-42.

<sup>93</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, VII, 134-135.

<sup>94</sup> *Ibid.*, VII, 144-145; al-Nuwayrī, *Nihāyat al-‘Arab*, V, 42-43.

During the Abbasid period, when Medina relinquished its position as the cultural and artistic capital in favor of the cities of Iraq, the city of Baṣra became the center for studying vocal arts. Vocal students would come to studios of Baṣra from various places, including the capital, Baghdad. The famous female poet and singer 'Arīb, whose name is associated with that of the caliph al-Ma'mūn, was a graduate of the vocalists' studio at Baṣra.<sup>95</sup> The number of female singers and vocal students studying at the studio of the famous singer and composer Ibrāhīm al-Mawṣilī (125/742-188/803) reached eighty one; these were sent by their masters to study the vocal profession and were known as *wadā'i* "slave women on deposit".<sup>96</sup>

The number of female slave-singers, known as *qiyān*, continued to grow. In Baghdad, a census was held in the middle of the fourth/tenth century, which showed 460 professional singers who were considered to be at the top of their class, as well as another 120 professional female singers who were free citizens. This, in addition to other singers whom it was difficult to pinpoint because they were employed privately by persons who could not easily be located, as well as women who were competent singers and sang on occasion, but were not always active in that profession.<sup>97</sup>

A slave trader from Baghdad who was also a well-known writer and traditionist, Aḥmad b. al-Ḥārith,<sup>98</sup> kept a stock of slaves at his home whose value was estimated at one hundred thousand dinars. His clientele was exclusively limited to caliphs and *wazīrs*.<sup>99</sup>

For the slave trader *nakkhās*, singer-slaves (*qiyān*) were a worth while and lucrative investment, since they brought excellent prices which sometimes bordered on the fantastic, estimated at thousands or tens of thousands of dinars.<sup>100</sup> For example, the fortune amassed by

<sup>95</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XVIII, 178-179; al-Nuwayrī, *Nihāyat al-'Arab*, V, 97. On the subject of slave singers, see al-Iṣbahānī, *Kitāb al-Aghānī* (index); Ibn al-Sā'ī, *Nisā' al-khulafā'*, 55-63; Ṭayfūr, *Baghdād* (index).

<sup>96</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, V, 6.

<sup>97</sup> Abū Ḥayyān al-Tawḥīdī, *Al-Imtā' wa l-mu'ānasa*, A. Amīn (ed.), Cairo, 1953, II, 183.

<sup>98</sup> A traditionist who died in Baghdad in 258/871. He transmitted many of the works of al-Madā'inī and was considered one of the most reliable authorities on this historian. He was the author of many works, including one entitled *Abnā' al-sarārī: The Sons of the Concubines*. On him, see: al-Baghdādī, *Ta'rikh Baghdad*, IV, 122-123; Yāqūt al-Ḥamawī, *Mu'jam al-udabā'*, D.S. Margoliouth (ed.), Cairo, 1938, III, 3-8.

<sup>99</sup> Ibn al-Mu'tazz, *Ṭabaqāt al-shu'arā'*, A.A. Farraj (ed.), Cairo, 1956, 426.

<sup>100</sup> High prices were paid for some of the prominent slave-singers. For example: a

Ibrāhīm al-Mawṣilī came from trading in *qiyān*.<sup>101</sup> The price he once collected for a single *jāriya* whom he sold to the caliph al-Rashīd, was thirty six thousand dinars actually six times what he had paid for her. When the caliph sent an intermediary to try and lower the price, the slave trader complied with his request and granted the caliph twice the discount he had requested, so that the final price he charged was twenty four thousand dinars, or four times the price he had paid.<sup>102</sup>

Training *jawārī* to sing was not solely for the purpose of providing merchandise to the palace of the caliphate. Singing and female singers became a highly popular commodity among the prosperous strata of society, as had been the case in Arab society during the reign of the early Abbasids. Dozens of private entertainment clubs were held at the homes of those who had bought singers and were open day and night to those who sought pleasant entertainment in the company of singers, young women, and revelry. Al-Jāhiz cites the name of eleven such homeowners to whom he addressed a treatise defending them against criticism that had been directed against them.<sup>103</sup> Other names of homeowners who operated such clubs may be found in the *adab* literature and in other literary sources,<sup>104</sup> and it is very reasonable to assume that tens and hundreds of others existed who were not mentioned.

The technical term used to describe a person who kept a house of entertainment was *muqayyin*,<sup>105</sup> derived from the word *qayna* which refers to any female slave, and at the same time was used to denote a female singer-slave.<sup>106</sup> The clients who frequented the home of the

slave-singer called Ḥabashiyya was sold for 120000 dinars, al-Jāhiz, *Kitāb al-Qiyān, rasā'il al-Jāhiz*, A. S. Hārūn (ed.), Cairo, 1965, II, 143-182, 177. A *jāriya* of Ibn Rā'iq was sold for 14000 dinars: al-Ṣūlī, *Akhbār al-Rādī wa l-Muttaqī*, J. H. Dunne (ed.), Beirut, 1979, 2<sup>nd</sup> ed., 101. A *jāriya* was purchased by al-Mahdī for 10000 dinars: al-Ṣūlī, *Ash'ār awlād al-khulafā'*, J. H. Dunne (ed.), Beirut, 1979, 2<sup>nd</sup> ed., 11. A *jāriya* was bought by al-Rashīd for 40000 dirhams: al-Iṣbahānī, *Kitāb al-Aghānī*, V, 6.

<sup>101</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, V, 6.

<sup>102</sup> *Ibid.*, V, 7.

<sup>103</sup> Al-Jāhiz, *Kitāb al-Qiyān*, 143-181.

<sup>104</sup> Some of these persons are mentioned in such sources as Abū 'Umayra: al-Iṣbahānī, *Kitāb al-Aghānī*, XX, 43; al-Nuwayrī, *Nihāyat al-'Arab*, X, 73; Ibn Ramīn: *Ibid.*, V, 75; al-Iṣbahānī, *Kitāb al-Aghānī*, XIII, 114-118, X, 135 and XIII, 127-133. See also regarding Ḥārith b. Sihrāb and Muḥammad in al-Iṣbahānī, *Kitāb al-Aghānī*, XIX, 73 and VIII, 21.

<sup>105</sup> Al-Jāhiz, *Kitāb al-Qiyān*, 178-179.

<sup>106</sup> Nāṣir al-Dīn al-Asad, *al-Qiyān wa l-ghinā'*, Cairo, 1968, 2<sup>nd</sup> ed., 15-24.

*muqayyin* were known as *rubatā'*, the plural form of the singular *murābit*.<sup>107</sup> These persons usually belonged to the elite, including poets, writers, and scholars.<sup>108</sup> Officials of the state and persons of means were also among the patrons of these institutions.<sup>109</sup>

Despite the differences between various types of *rubatā'*, two factors were common to all of them: the desire to listen to singing, drink and enjoy oneself, and the willingness to spend money and give expensive gifts.<sup>110</sup> The home of the *muqayyin* had private meeting rooms which enabled a customer to be alone with one of the house singers; he could also spend the night in one of these rooms in exchange for a fee.<sup>111</sup> The *muqayyin* was sometimes willing to provide home service to a client and would send him the singer he had ordered.<sup>112</sup>

Of all the customers, the poets were considered the most important by the *muqayyin*, because of the power inherent in their poetry, this being precisely the most effective means of communication and advertising the *muqayyin* required in order to attract a broader clientele.<sup>113</sup>

The slave traders believed it was worth while to train and educate female slaves so that the latter would attain better profit for them, since an educated slave woman was worth more than an uneducated woman.<sup>114</sup> The market made a clear distinction between an educated slave woman and an uneducated one, who was known as *sādhaj*.<sup>115</sup> The demand for educated a slave women was greater, particularly among clients from the ruling elite, who would take pains to find out how educated a slave woman was before purchasing her.<sup>116</sup>

The basic subjects of erudition can be divided into three main areas: the Arabic language, the *Qur'ān*, and the study of poetry by

<sup>107</sup> Al-Jāhiz, *Kitāb al-Qiyān*, 177-179. In another variation: *mutarabbīḡ*; *Ibid.*, 171.

<sup>108</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XVII, 50. Sometimes names are mentioned: al-Nuwayrī, *Nihāyat al-'Arab*, X, 77; al-Iṣbahānī, *Kitāb al-Aghānī*, X, 135-136; al-Jāhiz, *Kitāb al-Qiyān*, 179-180.

<sup>109</sup> Al-Jāhiz, *Kitāb al-Qiyān*.

<sup>110</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XVII, 50.

<sup>111</sup> Al-Jāhiz, *Kitāb al-Qiyān*, 179.

<sup>112</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XX, 44.

<sup>113</sup> *Ibid.*, XIII, 128-129 and X, 135-136.

<sup>114</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, I, 133.

<sup>115</sup> Ibn al-Sā'ī, *Nisā' al-khulafā'*, 92; al-Iṣṭakhrī, *Masālik*, 45. The term *sādhaj* is a borrowed persian word, *sīda*, which means «uncolored cloth»; Abū Manṣūr al-Jawālīqī, *al-Mu'arrab*, F. 'Abd al-Raḥīm (ed.), Damascus, 1990, 394-395.

<sup>116</sup> al-Jāhiz, *al-Maḥāsin*, 226-227.

rote.<sup>117</sup> It should be pointed out that the study of poetry was crucial to those who wished to specialize in singing, and almost all *qiyān* demonstrated admirable expertise in this field.<sup>118</sup> But there were apparently also *jawārī* who specialized in specific fields such as the *Qur'ān* and *qirā'āt* (ways of reading the Qurān),<sup>119</sup> or *ḥadīth* and theology (*fiqh*).<sup>120</sup> There were also those who were proficient at literary writing and written expression.<sup>121</sup> Worthy of mention in this respect was the legendary female slave of al-Rashīd, the caliph, whose name was Tawaddud and who was the hero of one of the Thousand and One Nights stories. This slave woman was purported to have outshone all of the outstanding scholars of the royal court in all areas of study and in fields connected to such academic areas as literature and the exact sciences.<sup>122</sup> Ignoring the legendary element of the story, which is the same as in any such tale, the story of this slave woman reflects the thinking of the age and the common perception of the slave women in Muslim society.

## VII

The education of *jawārī*, which was intended primarily as a means of increasing the slave traders' profits, contributed to the prevalence of education among women, a characteristic which in the Muslim world had formerly been monopolized by men. Toward the beginning of the fourth/tenth century, there were women who demanded the right to occupy positions which had heretofore been reserved for men.<sup>123</sup> In this respect, there were, in fact, some women who became specialized in the study of religious law, one of them became famous for her concentration on the field of *fatāwā* in accordance with the *Shāfi'ī* school of law.<sup>124</sup>

<sup>117</sup> Ibn 'Abd Rabbih, *Al-'Iqd*, VI, 53.

<sup>118</sup> Al-Ṣūlī, *Ash'ār awlād*, 82; Ibn Qayyim, *Akhbār al-nisā'*, 62-63; al-Jāhiz, *al-Maḥāsīn*, 227.

<sup>119</sup> Ibn Khallikān, *Wafayāt al-a'yān*, I. 'Abbās (ed.), Beirut, 1968-1978, I, 314; al-Nuwayrī, *Nihāyat al-'Arab*, V, 55-56.

<sup>120</sup> Al-Nuwayrī, *Nihāyat al-'Arab*, V; al-Tha'ālibī, *Laṭa'if al-zurafā'*, Q. al-Sāmarrā'ī (ed.), Leiden, 1978, 75-76.

<sup>121</sup> Ibn al-Sā'ī, *Nisā' al-khulafā'*, 89.

<sup>122</sup> *Alf layla wa-layl*, Cairo, 1348 h., II, 342-368 (night n.º 436-459).

<sup>123</sup> Al-Qalqashandī, *Ṣubḥ al-a'shā*, Cairo, 1963, I, 64.

<sup>124</sup> This woman was called Sutayta. She died in 377/987; Ibn al-Jawzī, *al-Muntaẓam*, XIV, 325-326.

The appointment of a woman to the position of *qāḍī* was the subject of controversy among the scholars of religious thought; Abū Hanīfa, of the four, established that it was permissible for a woman to serve as a *qāḍī*, but not in all areas. Al-Ṭabarī, on the other hand, adopted a far reaching conclusion when he ruled that a woman was competent to serve in that position without any reservation.<sup>125</sup>

After the *jawārī* had become an established phenomenon in Muslim society, a sort of internal hierarchy was formal within the institution of the *jawārī* itself. We have already seen that the *jawārī* who were singers, *qiyān*, had themselves *jawārī* of their own, who were in fact a kind of choice group known as *jawārī al-qiyān*.<sup>126</sup> Prominent in this context were the *jawārī* of 'Arīb, who were singers themselves.<sup>127</sup>

The rising number of *jawārī* in the court of the caliphs and other senior government officials created new positions which had not existed previously in the administrative apparatus. The role of ongoing general responsibility for the *jawārī* in the palace, regardless of their areas of day-to-day activity, was placed in the hands of a senior *jāriya*, who bore the title *qayyimāt al-jawārī*.<sup>128</sup> Her responsibilities sometimes also included preparing a *jāriya* before a performance or when the master wanted her to attend him.<sup>129</sup>

Another key position was that of the *qahramāna*, stewardess, who was responsible for the caliph's office.<sup>130</sup> The *qahramāna* had an office manager, who also functioned as secretary.<sup>131</sup> The role of the *qahramāna* was not clearly defined, and her areas of responsibility were many and varied; Zaydān, the *jāriya* who fulfilled this role during the reign of the caliph al-Muqtadir (207-930), was among other things in charge of the keys to the safe which held the palace's jewels.<sup>132</sup> Rebel elements or suspected ministers and state officials whom were put in custody, were kept under its control.<sup>133</sup> A certain

<sup>125</sup> Al-Māwardī, *al-Ahkām al-sulṭāniyya*, Cairo, n.d., 61.

<sup>126</sup> Al-Ṣbahānī, *Kitāb al-Aghānī*, XVII, 8 and XIX, 116.

<sup>127</sup> Ibn al-Sā'ī, *Nisā' al-khulafā'*, 59. On the *Jawārī* of Qabīha, the slave women of Al-Mu'tazz, see Ibn Qayyim, *Akhbār al-nisā'*, 183-184.

<sup>128</sup> Ibn 'Abd Rabbih, *Al-'Iqd*, VI, 56.

<sup>129</sup> Ibn Qayyim, *Akhbār al-nisā'*, 207.

<sup>130</sup> Al-Hamdānī, *Takmilat al-Ṭabarī*, Y. Kan'ān (ed.), Beirut, 1961, 2<sup>nd</sup> ed., 348-349.

<sup>131</sup> 'Arīb b. Sa'id al-Qurṭubī, *Ṣilat ta'rīkh al-Ṭabarī*, Abū l-Faḍl Ibrāhīm (ed.), Cairo, n.d., 74.

<sup>132</sup> *Ibid.*, 113.

<sup>133</sup> Al-Hamdānī, *Takmila*, 211, 229, 256.

*qahramāna* called Thamal was authorized to interrogate another *qahramāna* who had been in a larger conspiracy to dismiss the caliph from the throne.<sup>134</sup> With the intercession of the queen mother, mother of caliph al-Muqtadir, Thamal was appointed to a prestigious and sensitive position known as *dīwān al-mazālim*, a sort of ombudsman, or court of appeal. This position required training and expertise in jurisprudence and religious law. Thamal, the *qahramāna*, fulfilled this role to the satisfaction of the defrauded complainants.<sup>135</sup> Another *qahramāna*, by the name of Fāṭima, was given financial authority by the caliph, including the authority to issue orders of payment to officials of the state treasury.<sup>136</sup> The role of this *qahramāna* was considered an official palace post, and was of equivalent standing in the palace hierarchy to the rank given to the caliph's mother and the royal princes. Officials of the regime, including the *wazīr*, when writing to the *qahramāna*, were bound to address her according to the rules of the protocol.<sup>137</sup>

A *jāriya* who had born a son to the caliph, bore the title of *al-sayyida*, a term somewhat akin to the modern First Lady and apparently designed to bestow honor upon its owner, in keeping with the Arab custom of not addressing an honorable person by his first name.<sup>138</sup> This title was bestowed upon al-Khayzurān, wife of al-Mahdī and mother of both caliphs: al-Hādī and al-Rashīd.<sup>139</sup> The mother of caliph al-Muqtadir, who was of Greek origin (or, according to another version, of a Turkish origin), also bore the title *al-sayyida*.<sup>140</sup> Senior *jawārī* in the palace also bore this title, and a designated body came into being known as *al-sāda*, the masters.<sup>141</sup>

The *jawārī* have had free access to the institutions of government and would handle matters and arrange favors for persons who approached them. Al-Jāhīz refers to the intercession of *jawārī* in arranging palace matters and even mentions some of them by name.<sup>142</sup>

<sup>134</sup> *Ibid.*, 227.

<sup>135</sup> 'Arīb b. Sa'īd, *Ṣilat*, 67; Ibn al-Jawzī, *al-Muntaẓam*, XIII, 180-181.

<sup>136</sup> Hilāl al-Šābī, *al-Wuzarā'*, A. Farrāj (ed.), Cairo, 1958, 158.

<sup>137</sup> *Ibid.*, 172.

<sup>138</sup> Goldziher, *Muslim Studies*, I, 267.

<sup>139</sup> Al-Ya'qūbī, *Ta'rīkh al-Ya'qūbī*, Beirut, 1960, II, 406.

<sup>140</sup> Ibn al-Jawzī, *al-Muntaẓam*, XIII, 59. See also al-Šābī, *al-Wuzarā'* (index); 'Arīb b. Sa'īd, *Ṣilat*, 67; Ibn Kathīr, *al-Bidāya wa l-nihāya*, Beirut, 1981, 4<sup>th</sup> ed., XI, 169.

<sup>141</sup> Al-Šābī, *al-Wuzarā'*, 119, 381.

<sup>142</sup> Al-Jāhīz, *Kitāb al-Qiyān*, 156-157.

Mention is made, in this context, of the decisive influence of al-Khayzurān upon the *wazīr* Yaḥyā al-Barmakī.<sup>143</sup> Also mentioned is the absolute control gained by al-Rā'iqā over the governor of Iraq on behalf of the Umayyds, Khālid al-Qaṣrī.<sup>144</sup>

A poet *jāriya* by the name of Faḍl, whose home became a club for poets and authors, used to intercede with the institutions of government and with senior officials in order to arrange favors for these men of literature.<sup>145</sup> The *jawārī* took advantage of their standing, while using the fondness of their masters, and their own seductiveness to influence the political decision of the Royal Court; Habbāba, the famous *jāriya* of the Umayyad caliph Yazīd b. 'Abd al-Malik, was behind the appointment of Ibn Hubayra to the senior position as the governor of Iraq and the eastern province in 102/720, thanks to her intercession with her master.<sup>146</sup> A similar incident took place later, during the reign of al-Rashīd, the Abbasid caliph who agreed to appoint a friend of his *jāriya*, Dhāt al-Khāl, in an administrative office.<sup>147</sup> It was the mother of al-Muqtadir who was responsible of such many administrative decisions, without disturbing herself to have the formal approval of the caliph.<sup>148</sup>

Relatives of the *jawārī* were always the main beneficiaries of the service of the *jawārī*; they had invested their kinship to get the maximum. So it was the case with the brother of the caliph's mother,<sup>149</sup> or the brother of the *qahramāna* Umm Mūsā,<sup>150</sup> as well as the state of affairs during the reign of the preceding caliphs.<sup>151</sup>

The influence of *jawārī* was so great that other courtiers were always concerned not to stir their agitation.<sup>152</sup> Those among them who declined to get their good will, were liable very soon to lose their position or even lose their freedom.<sup>153</sup> The political impact of the *jawārī*

<sup>143</sup> Al-Jahshiyārī, *al-Wuzarā' wa-al-kuttāb*, M. al-Saqqā (ed.), Cairo, 1938, 177.

<sup>144</sup> Abū l-'Abbās al-Mubarrad, *Al-Kāmil fi l-lughā*, S. Shihata (ed.), Cairo, n.d., IV, 124.

<sup>145</sup> Ibn al-Mu'tazz, *Ṭabaqāt*, 426.

<sup>146</sup> Ibn al-Athīr, *Al-Kāmil*, IV, 181.

<sup>147</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XV, 80; al-Nuwayrī, *Nihāyat al-'Arab*, V, 92.

<sup>148</sup> 'Arīb b. Sa'īd, *Ṣilat*, 40.

<sup>149</sup> *Ibid.*, 44.

<sup>150</sup> *Ibid.*, 42, 71, 77.

<sup>151</sup> Al-Mahdī had appointed the brother of al-Khayzurān as governor of Yemen. Al-Ya'qūbī, *Ta'rikh*, II, 399.

<sup>152</sup> 'Arīb b. Sa'īd, *Ṣilat*, 10, 110, 111.

<sup>153</sup> Al-Ṣābī, *al-Wuzarā'*, 310.



was not limited to influence the courtiers or the principal officials of the state, it was extended, in the case of weak caliphs like al-Muqtadir, further to abrogate the word of the caliph himself.<sup>154</sup> Because of the weakness of this caliph the *jawārī* of his court took the whole control of the state, and actually were they who ran the country.<sup>155</sup> The caliph al-Hādī (785-786) had faced a considerable difficulty before he succeeded finally to restore his authority and to keep away the interference of his mother al-Khayzurān in the administrative policy of the state. Her reaction to being curbed was so strong and extreme, she vowed not to speak with the caliph, her own son. Her vow was carried into practice until his last day; she was even accused, according to some reports, that she was behind his murder.<sup>156</sup>

Regarding the calamity unleashed by al-Rashīd upon the Barāmika family, which had grave consequences later on, it is reported that it was his mother's incitement which led him to his fatal decision.<sup>157</sup>

Some of the *jawārī* demonstrated a remarkable courage and extreme determination concerning political issues; one example is Umm Mūsā, the *qahramāna*, who led the conspiracy to overthrow the caliph al-Muqtadir from the throne.<sup>158</sup>

Another *qahramāna*, by the name of 'Alam, was responsible for paving the way to caliph al-Mustakfī's rise to power.<sup>159</sup> Because of the influence of *al-sayyida*, mother of al-Muqtadir, at the palace, and because of her flagrant intervention in her son's decisions, the palace aides preferred to nominate a motherless prince from the Abbasid dynasty than another candidate whose mother was still alive.<sup>160</sup>

The power of the *jawārī* was not based solely on their beauty and sexual/physical attractiveness. Rather, they amassed additional resource of strength and influence. For example, Umm al-Muqtadir had her own militia.<sup>161</sup> Another source of power was the inordinate accu-

<sup>154</sup> 'Arīb b. Sa'īd, *Ṣilat*, 29, 42; al-Ṣābī, *al-Wuzarā'*, 111, 343.

<sup>155</sup> Al-Mas'ūdī, *al-Tanbīh wa l-ishrāf*, M.J. de Goeje (ed.), Beirut, 1965, 2<sup>nd</sup> ed., 377.

<sup>156</sup> Al-Mas'ūdī, *Murūj al-dhahab*, VI, 268-270; Ibn al-Athīr, *al-Kāmil*, V, 79; Ibn Tabātabā, *al-Fakhrī*, Beirut, 1966, 191; Ibn Kathīr, *al-Bidāya*, X, 158-159.

<sup>157</sup> Al-Mas'ūdī, *Murūj al-dhahab*, VI, 328.

<sup>158</sup> 'Arīb b. Sa'īd, *Ṣilat*, 95.

<sup>159</sup> Al-Hamdānī, *Takmila*, 348-349.

<sup>160</sup> 'Arīb b. Sa'īd, *Ṣilat*, 153.

<sup>161</sup> Al-Ṣūlī, *Akhbār al-Rādī*, 77.

mulated wealth enjoyed by some of the *jawārī* who received parcels of land or agricultural plots, either as an *iqṭā'* (feudal estate) or as a gift.<sup>162</sup> In addition to these resources, *jawārī* who held key positions in the palace would receive valuable gifts as well considerable sums of money as a bribe.<sup>163</sup>

Those who benefited from this power were only the relatives of the *jawārī* or those whom they held in favor, but rather the entire ethnic or religious group to which the *jāriya* belonged. Khālid al-Qaṣrī, the governor of Iraq had erected a church in Kūfa for the Christian community under the influence of his mother, who was a Christian herself. Khālid was generous in his nomination of Christian functionaries to official positions for the sake of his mother.<sup>164</sup>

The phenomenon of tolerance toward the non-Muslim communities was probably affected by the religious tolerance within the palace of the caliphate itself. In the courtyard of the palace of al-Ma'mūn, Christmas would be celebrated by the Christian *jawārī* of the palace, with all the hallmarks of the religious ceremony, as the caliph himself looked on and joined in the merriment of the rejoicing *jawārī*.<sup>165</sup>

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<sup>162</sup> See, for example, Ibn al-Jawzī, *al-Muntaẓam*, XIII, 321; al-Ṣābī, *al-Wuzarā'*, 37, 201-202, 202-203; Ibn Qayyim, *Akhbār al-nisā'*, 183-184; al-Mas'ūdī, *Murūj al-dhahab*, VI, 289.

<sup>163</sup> Al-Ṣābī, *al-Wuzarā'*, 347, 287-288; 'Arīb b. Sa'īd, *Ṣilat*, 42.

<sup>164</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XIX, 59; al-Balādhurī, *Ansāb al-ashrāf*, VI (8), 161; Ibn Khallikān, *Waḥyāt*, II, 228; al-Balādhurī, *Futūḥ al-buldān*, 350; Yāqūt, *Mu'jam al-buldān*, Beirut, n.d., I, 532; Ibn al-Athīr, *Al-Kāmil*, V, 279; al-Mubarrad, *Al-Kāmil*, III, 87.

<sup>165</sup> Al-Iṣbahānī, *Kitāb al-Aghānī*, XIX, 138-139.