

MUSLIM SLAVES AND FREEDMEN IN MEDIEVAL PORTUGAL *

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The study of slavery in medieval Portugal has focused almost exclusively on the status and fate of the sub-Saharan Africans who started to arrive in the kingdom from 1441 onwards. The work of A. C. de C. M. Saunders, *A Social History of Black Slaves and Freedmen in Portugal 1441-1555* (Cambridge University Press, 1982) has been particularly important in this respect. In stark contrast to this, the fate of the substantial number of Muslim slaves who lived and worked in Portugal during the medieval period has to a large extent been overlooked. Using documentary evidence obtained from the national Portuguese archives, this article proposes to analyse in detail the origins of these slaves, their economic and social role and the laws that were promulgated to control them and their owners. The status of freedmen and manumission practices are also closely studied.

Key words: Portugal; Slavery; Muslim Slaves; Manumission; Middle Ages; Mudéjars.

El estudio de la esclavitud en el Portugal medieval ha sido dominado por estudios sobre los esclavos oriundos del África subsahariana que comenzaron a ser importados en aquel reino desde 1441. La obra de A. C. de C. M. Saunders, *A Social History of Black Slaves and Freedmen in Portugal 1441-1555* (Cambridge University Press, 1982) ha sido particularmente importante a este respecto. En contraste con esta situación, se sabe relativamente poco de los esclavos musulmanes en el reino medieval de Portugal. Utilizando nuevas fuentes documentales del archivo nacional portugués, este artículo se propone examinar los orígenes de estos esclavos musulmanes y su posición económica y social en el Portugal del medievo, así como las leyes reales que fueron promulgadas para controlar a los esclavos y a sus dueños. La posición social de los libertos y las prácticas de manumisión serán también estudiadas.

Palabras clave: Portugal; esclavitud; esclavos musulmanes; manumisión; Edad Media; mudéjares.

The study of slavery in the Iberian Peninsula has varied considerably both in terms of time and space. On balance, it is fair to say that far more interest has been devoted to black slaves, significant numbers of whom were transported into Portugal and Spain from sub-Saharan Africa from 1441 onwards into the modern era.¹ Research into slavery

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¹ Saunders, A. C. de C. M., *A Social History of Black Slaves and Freedmen in Portugal 1441-1555*, Cambridge, 1982; Russell-Wood, A. J. R., "Iberian expansion and the is-

during the medieval period has been much more fragmentary and our knowledge of Muslim slaves in the kingdom of Portugal in particular continues to lag far behind that of Muslim slaves in the rest of the Iberian Peninsula. In his magisterial study of slavery in medieval Europe published in 1955, Charles Verlinden rapidly examined slavery in medieval Portugal using the available published sources. This work is now out of date and leaves much to be desired, particularly as Verlinden did not make use of the extant registers of the Portuguese royal chancery which are conserved in the national archives of the *Torre do Tombo* in Lisbon.² Recent modern works on medieval Portuguese society have examined the situation of Muslim slaves only very fleetingly. While it is true that a relative paucity of documentary sources is partly to blame, this *lacuna* cannot be solely ascribed to this factor. This article seeks to offer a concise examination of the status of Muslim slaves and freedmen in medieval Portugal from the twelfth to the fifteenth centuries. By using a variety of unpublished documents conserved in the archives of the royal chancery and religious institutions, it will endeavour to produce an analysis that relies not so much on the well known normative law codes and municipal charters but rather on surviving pardons and manumission charters.

The Origins and Characteristics of Slavery in Medieval Portugal

The first documentary traces of enslaved Muslims in the county of Portugal date from the turn of the ninth and tenth centuries.³ It is with the creation of the kingdom of Portugal under King Afonso I (1139-1185), and the major military advances of the Portuguese during the twelfth and thirteenth centuries, that a steady flow of references to Muslim captives start to appear in the available documentation. In 1147 Afonso I struck an agreement with the army of northern

sue of black slavery: changing Portuguese attitudes, 1444-1770", *The American Historical Review*, 83 (1978), 16-42; for Spain see Franco Silva, A., *La esclavitud en Sevilla y su tierra a fines de la Edad Media*, Seville, 1979 and *idem*, *Esclavitud en Andalucía 1450-1550*, Granada, 1992. Verlinden, C., *L'Esclavage dans l'Europe médiévale tome premier: péninsule Ibérique-France*, Bruges, 1955.

² Verlinden, *L'Esclavage dans l'Europe médiévale*, 615-632.

³ Vasconcellos, J. L. de, *Etnografía portuguesa*, Lisbon, 1958, 4, 300-1.

European crusaders to buy back any prisoners captured after the fall of Lisbon. The same fate befell the 3000 Muslim inhabitants captured after the fall of Alcácer do Sal in 1217, who were sold as slaves in Lisbon.⁴ It must also be assumed that a fair number of Muslims also became prisoners in the raids and ambushes that alternated with uneasy truces on the Christian-Islamic border. The Portuguese “reconquest” came to an end with the conquest of the southern town of Faro in 1249 and, for over a century and a half, Portugal had no land border with an Islamic enemy. The Portuguese only opened a new front against a Muslim enemy with the capture in 1415 of the North African town of Ceuta by João I (1384-1433). As the Portuguese conquered other coastal towns and sent raiding parties into the Moroccan interior, they secured a new albeit irregular source of Muslim slaves.⁵

In Portugal itself, Muslim slaves appear regularly in wills made during the twelfth and thirteenth centuries.⁶ In her will of May 1291, for instance, the widow Maria Afonso left her daughter and son-in-law all of her lands and property including all her Muslim slaves.⁷ The data can hardly be described as either plentiful or detailed, but the pattern that emerges from the documentary evidence presents slave ownership as a small-scale phenomenon. In general, one individual might own a single slave or small groups of Muslims that rarely extended beyond ten. Accordingly, a private bequest made to the monastery of S. João de Pendroada in 1156 included a Muslim man and a Muslim woman.⁸ Likewise, the will made by a canon of Coimbra and Guarda cathedrals named Pedro Pais in February 1295 granted “my Muslim Muḥammad” to a certain Pedro Gonçalves and “my Muslim woman Zofra (Zāfira?)”

⁴ *De Expugnatione Lysbonensi*, C. W. David (ed. and transl.), New York, 2001, 111; Boissellier, S., *Naissance d'une identité portugaise. La vie rurale entre Tage et Guadiana de l'Islam à la Reconquête*, Lisbon, 1999, 364.

⁵ For many examples of such raids, including attacks on Muslim coastal shipping, see Eannes de Zurara, G., “Chronica do conde D. Pedro”, *Inéditos da História de Portugal*, 2, Lisbon, 1792.

⁶ Durand, R., *Les campagnes portugaises entre Douro et Tage aux XII^e et XIII^e siècles*, Paris, 1982, 485, footnote 9.

⁷ *Arquivo Nacional da Torre do Tombo* (ANTT), *Chancelaria de D. Dinis*, livro 5, fols. 14-15.

⁸ Gomes, S. A., “Grupos étnico-religiosos e estrangeiros: Muçulmanos”, in M. H. da Cruz Coelho and A. L. da Carvalho Homem (eds.), *Nova história de Portugal. Vol. 3: Portugal em definição de fronteiras do condado Portugalense à crise do século XIV*, Lisbon, 1995, 309-323.

to Domingos Johannes and Catalina (Johannes's wife?) in posthumous payment of a debt of 50 pounds.⁹ In many cases these slaves appear to have worked as domestic servants, a situation similar to that of many Muslim slaves in Catalonia.¹⁰

The activities of Muslim slaves were clearly not, however, only limited to those of unskilled domestic servants. The documents rarely mention the particular trades or skills of slaves but those that do, include carpenters, bakers, tailors and even a goldsmith.¹¹ In a predominantly rural society like medieval Portugal, many slaves were put to work in the fields and orchards of their owners, including religious corporations. In the far north of Portugal — between the Minho and Douro rivers — it is possible to find a number of references to Muslim slaves working on the estates of their masters. King Afonso I, for instance, “peopled” the locality of Santo André de Gondomar, near Guimarães, with “his bulls, cows, and his Muslims”.¹² Further south, when Elvira Perez donated an estate to the abbey of Santa Cruz in Coimbra in 1267, she specified that the grant included “all my Muslim men and women”.¹³ In most of these cases, it is clear that the slaves were employed as agricultural labourers by their masters. The research of Pedro Gomes Barbosa has revealed a number of Muslim slaves working for the Cistercian monks of Alcobaça in the twelfth and thirteenth centuries.¹⁴ Similarly, a study of the inquiries into land rights (*inquirições*) carried out under Afonso II (1211-1223) has revealed the presence of Muslims slaves and their descendants in 43 localities and in those *inquirições* undertaken by Afonso III (1246-1279) they figure in 86 places. In most cases the documents refer to small groups of three or

⁹ ANTT, *Cabido da Sé de Coimbra* (2.^a incorporação), *maço* 36, 1548.

¹⁰ On the domestic roles of Muslim slaves in Catalan towns see Bensch, S.P., “From prizes of war to domestic merchandise: the changing face of slavery in Catalonia and Aragon, 1000-1300”, *Viator*, 25 (1994), 63-93 and Winer, R. L., *Women, Wealth and Community in Perpignan, c. 1250-1300. Christians, Jews and Enslaved Muslims in a Medieval Mediterranean Town*, Aldershot, 2006, 133-158.

¹¹ Durand, *Les campagnes portugaises*, 498, footnotes 73-4; ANTT, *Chancelaria de D. Afonso V*, *livro* 33, fol. 73.

¹² “... este davandito Moesteiro fez el Rei don Alfonso I.^o de Portugal, et poblou o de bois e de vacas et de eguas et de seu ganado et de seus mouros et de seu aver”. Losa, A., “Os ‘mouros’ de entre Douro e Minho no século XIII”, *Bracara Augusta*, 16-17 (1964), 227.

¹³ ANTT, *Santa Cruz*, *maço* 20, 30.

¹⁴ Barbosa, P. G., “Alguns grupos marginais nos documentos de Santa Maria de Alcobaça, séculos XII e XIII”, in *idem*, *Documentos, Lugares e Homens. Estudos de História Medieval*, Lisbon, 1991, 128-131.

four individuals. It is interesting to note, however, that the *inquirições* conducted at the behest of King Dinis (1279-1325) show a marked decline in these numbers.¹⁵ As such, the picture of slavery that emerges in Portugal during the twelfth and thirteenth centuries presents many similarities with the pattern found in northern Castile and Asturias during the same period.¹⁶ It did not follow, however, that slaves worked exclusively for their owners. In an interesting letter of September 1286, Dinis authorised the fishermen of Povóa de Paredes, near Leiria, to employ Muslim slaves and later legislation testifies that slaves employed by fishermen were often owned by a third party.¹⁷

All the available evidence points to the conclusion that, in most of these cases, the conversion of Muslim slaves to Christianity was swiftly followed by their assimilation into Christian society. Their complete acculturation and assimilation is perhaps not such a surprise when we take into account the fact that they lived in small isolated groups, far from the communities of free Muslims in southern Portugal and from any form of organised Islamic religious worship or instruction. A rare twelfth-century genealogy of Muslim slaves owned by the Cistercian monastery of Sobrado in neighbouring Galicia includes a number of slaves bought by the monks in Portugal. These slaves had converted to Christianity and been assimilated within one or two generations.¹⁸ In northern Portugal itself, the only trace in documents that individuals retained of their Muslim past was to be found in the epithet “mouro” that followed their Christian name.¹⁹ The only free Muslims (*mouros forros*) to appear in this region are a certain Sa‘id and his wife, who were recorded as living in Guimarães in July 1292, and possibly another individual, named Duran “mouro”, who was apparently residing in Sobrado (near Porto) in 1330.²⁰ By the fifteenth century, however, there were no free Muslims and few slaves in northern Portugal. One of the constitutions of the synod of

¹⁵ Gomes, “Grupos étnico-religiosos e estrangeiros”, 314.

¹⁶ Ruiz de la Peña, J. I., “Siervos moros en la Asturias medieval”, *Asturiensis Medievalia*, 3 (1979), 139-161.

¹⁷ ANTT, *Chancelaria de D. Dinis*, livro 1, fols. 176v. See footnote 94.

¹⁸ Gautier Dalche, J., “Les sarrasins du monastère de Sobrado”, in P. Tucoo Chala (dir.), *Minorités et marginaux en France méridionale et dans la péninsule ibérique VII^e XVIII^e siècles*, Paris, 1986, 71-94.

¹⁹ Losa, “Os ‘mouros’ de entre Douro e Minho”, 224-238.

²⁰ ANTT, *Chancelaria de D. Dinis*, livro 2, fol. 37v and Marques, A. H. de Oliveira (ed.), *Chancelarias de D. Afonso IV*, Lisbon, 1990, 1, 211, 196.

the archdiocese of Braga, held in 1477, explicitly states that there were no Muslims in the archdiocese.²¹

Unfortunately, very few existing sales contracts survive and thus only fragmentary evidence exists concerning the prices of slaves, rendering it impossible to reach any secure conclusion. In 1265 the Cistercian monastery of Alcobaça exchanged part of a mill in Leiria in return for a vineyard and a slave whose value was estimated at 60 *libras*. Later that century, four male slaves were sold for 60 *morabitos* each.²² A sale contract dated 2 October 1317 describes the sale of a slave named Ziza by her owner João Francisco, an inhabitant of Esgueira, for the sum of 71 “*libras de dinheiro Portugues*”.²³ A document from the monastery of Lorvão (near Coimbra) records, amongst other items, the sale of 12 men and 5 women for 285 *morabitos*. From this document, Robert Durand speculated that the price of an individual slave, at around 17 *morabitos*, was thus situated between that of a mule (42 *morabitos*) and of a mare (10 *morabitos*).²⁴ An added complication is that the price of individual slaves could vary according to different criteria such as their age or particular skills. The “quality” of a slave is sometimes mentioned in documents. The sales act of a property near Lisbon in 1239 specifies that it included “a good Muslim girl” whilst other documents refer to “a fine Muslim girl” and “a bald but good Muslim”.²⁵

Very little documentary evidence of a trade in Muslim slaves across the Luso-Castilian border has yet surfaced and none relating to the export of slaves from Portugal to Castile which appears to have concerned only black slaves from sub-Saharan Africa.²⁶ A rare fourteenth-century contract provides a unique insight both into the way that Portugal was part of the slave trade that crossed the Peninsula and the small print surrounding the sale of a slave. In March 1368, a

²¹ “E posto que nesta constituição nom fazemos menção dos mouros, porque somos enformado que os nom há nesta terra”, García y García, A. (ed.), *Synodicon Hispanum*, Madrid, 1982, 2, 130.

²² Barbosa, “Alguns grupos marginais”, 130.

²³ ANTT, *Mosteiro de Santa Maria de Tarouquela, caixa 2, maço 14, env.* 1317.

²⁴ Durand, *Les campagnes portugaises*, 494, footnote 58.

²⁵ “... una bonam mauram puellam...”, ANTT, *Mosteiro de Chelas, maço 4*, 71; Durand, *Les campagnes portugaises*, 486, footnote 21.

²⁶ Franco Silva, A., “El comercio de esclavos entre el Algarve y Andalucía en el siglo xv”, *Cadernos Históricos*, 3 (1992), 94-7. The trade from Portugal to Castile concerned only non-Muslim black African slaves.

nun from the convent of Chelas purchased in Lisbon “a white Muslim woman who is a native of Aragón and named Murayma” for 150 *libras*. The seller was Juca Abeator, a Jewish merchant who was himself from Seville in Castile. The seller was in fact a middleman since he had himself bought the woman from another Jewish merchant in Seville. The sale contract includes what must have been a usual guarantee specifying that the slave had “healthy hands, feet and eyes and is free from the devil or any other hidden illness, and has been legitimately enslaved as a result of war and not during peacetime”. The intriguing reference to possession by the devil was probably employed in this case to refer to mental illnesses such as epilepsy while the final part of the guarantee was included to reassure the buyer that the slave had been legitimately acquired and not stolen. Perhaps the unfortunate Murayma was a Mudéjar, the victim of a Castilian raid during that kingdom’s war with Aragón between 1356 and 1366.²⁷

Early Portuguese documents do not mention the origins of slaves. Documents occasionally describe the slave as originating from “beyond the sea” (*d’allem maar*), indicating a North African origin. Only in the fifteenth century does information relating to the origins of slaves sporadically appear and this data attests to their predominantly Moroccan origins, including seven slaves from Fez, four from Arzilla, two from Guinea and only one each from Granada and “Gabel Fabibi” (the *Jabal Ḥabīb* in northern Morocco).²⁸ One characteristic frequently referred to in documents is the skin colour of the Muslim slaves. Indeed, as early as the thirteenth century, documents refer to slaves as being either “white” or “black”, thus indicating that the slaves were from North Africa or from areas further south.²⁹

²⁷ “... a quall moura lhj vendo por ssãa dos pees, e das maãos e dos olhos e de demonjho e doutra door encuberta e por de bõa guerra e nõ de paz...”, Azevedo, P. A., “Os ecravos”, *Arquivo Histórico Portugues*, 1 (1903), 299, 1.

²⁸ In addition to the appendix see ANTT, *Chancelaria de D. Afonso V*, livro 7, fol. 28v; livro 29, fol. 266v; *Chancelaria de D. João II*, livro 9, fol. 93; Perez, D., *O livro de recebimentos de 1470 da chancelaria da câmara*, Lisbon, 1974, 60.

²⁹ Serra, P. Cunha, “Mouros e mouros”, Lisbon, 1984, 55, footnotes 26 and 30. For later examples see ANTT, *Chancelaria de D. Afonso V*, livro 8, fol. 6 (*mouro negro*); livro 33, fols. 140-140v (*mouro branco*); *Chancelaria de D. João II*, livro 15, fol. 18v (*mouro negro de gujne*); *Chancelaria de D. Manuel I*, livro 16, fol. 60v (*escpraua brancas*).

Manumission and Freedom

Slavery was not a permanent condition and manumission was an accepted practice. There were three different ways in which slaves could legally claim their freedom in medieval Portugal:

1. Slaves could have their freedom granted by their master without conditions.
2. Slaves might redeem themselves — essentially buy their own freedom — through a contractual agreement with their owner that attached specific conditions to the grant of freedom.
3. Slaves might be exchanged for a Christian held prisoner in Islamic territories.

A couple of twelfth-century wills preserved in the cartulary of the diocese of Coimbra suggest that masters treated their slaves differently according to their religious status. In 1116, João Gosende and his wife Ximena freed their slaves Martinho Cides and Pedro Pais, apparently converts to Christianity, granting them the use of certain lands for the duration of their lifetime. The Christian couple also specified that, after their deaths, the rest of their slaves, still Muslims it must be assumed, were to be sold to raise cash to ransom Christian captives in Islamic lands.³⁰ Similarly, in August 1156, another Christian, named Pedro Cortido, instructed his executors to free a baptized slave girl named Maria, and also ordered that after his wife's death all the other slaves he possessed should be manumitted if they chose to accept baptism or, if they wished "to remain in error", should be sold to ransom Christian captives.³¹ The same pressure to convert is apparent when, in his will of 1301, the master of the cathedral school of Coimbra in Portugal, João Peres, offered his Muslim slave Muḥammad the alternative of freedom if he converted or, if he chose to remain a Muslim, of redeeming himself from his master's heirs for

³⁰ "Et facimus ingenuos omnes servos et ancillas qui, ad obitum nostrum, in nostra potestate fuerint, et mauros et mauras, qui in ipso tempore in nostro potestate fuerint denture pro captivis christianis", Rodrigues, M. A. (ed.), *Livro Preto. Cartulário da Sé de Coimbra*, Coimbra, 1999, 340-1, 220 (1116, no month is given in this document).

³¹ "Et si in hoc itinere mortuus fuero mando ingenuare illam puellam, nominee Mariam, et illam familiam quam habemus de sarracenis servient domne Marie, dum vixerint [vixerit?], post mortem vero suam, ingenuet illos qui voluerint baptizari, pro anima mea et pro sua; siquis in errore sue permanere voluerit vendatur et detur pro captivis", Rodrigues, *Livro Preto*, 409-411, 276 (August 1156).

an agreed payment.³² The alternative amounted to either immediate freedom in the first case or quite possibly years of continued servitude in the latter case.

Conversion to Christianity was a very frequent occurrence but was by no means a systematic prerequisite to manumission or a guarantee of it (except when the owners were Jews, as we shall see below). A master and his slave could reach an agreement by which the slave agreed to work for a set period of time after which he would be set free. This form of manumission existed in Roman law and was adopted throughout the Iberian Christian kingdoms. A number of fifteenth century documents record such conditional manumissions offered both to slaves who had remained Muslim and to those who had converted. A slave might be required to work for a set period of time, earn a set sum in cash or work until he had earned enough cash to purchase a replacement deemed to be suitable by the owner. When an owner agreed to free a slave in return for a set period of labour the terms of the agreement are usually specified. By way of illustration, Rui Gomes, a public notary in Santarém, promised his slave Muḥammad that he would be freed after 9 years of service and a slavewoman named Margarita Portador was only freed after 12 years of service.³³ Inês Martins and her husband João de Castilha, for their part, agreed to free ‘Alī — a native of Granada — once he had worked hard enough to purchase both a black slave to replace him and a vineyard.³⁴ The Crown itself concluded such conditional manumission agreements. In January 1480, King Afonso V manumitted Muḥammad, a slave working in the royal stables, and the manumission act states that the grant was the fulfilment of an agreement concluded three years previously:

Muḥammad, a slave who works in Our stables, has informed Us that he has in his possession a royal privilege signed by Us according to which it pleased Us that having served Us as well as always for a period of three years, starting on 1 January 1477 and finishing on the first of January of the year of Our Lord 1480, he should be free without either Ourselves or anyone else having any further claim [on his person].³⁵

³² Gomes, “Grupos étnico-religiosos e estrangeiros”, 321.

³³ ANTT, *Chancelaria de D. Afonso V*, livro 11, fol. 66v; *Chancelaria de D. João II*, livro 27, fol. 33.

³⁴ ANTT, *Chancelaria de D. Afonso V*, livro 37, fol. 82.

³⁵ “... mafamede noso escrauo que anda em a nossa estrebarya nos dise que elle tinha de nos huum aluara per nos asynado per que nos prazya que serujndo nos muy bem

A little over a year later, the King also emancipated another one of his slaves, Feyate Azulejo, in recognition of certain services the latter had rendered but which are not specified. The diploma indicates that Feyate was to be “free and emancipated as much as all the other free Muslims” of the kingdom but was not to leave Portugal without a royal licence.³⁶ The obligation to remain and live in Portugal was indeed a condition that was usually associated to manumission licences by the Crown. Notwithstanding this, some freedmen were allowed to return to their native lands and in 1473 one such freedman was even granted a safe-conduct to return to Portugal whenever he wished with goods to trade.³⁷

The manumission of slaves in some cases appears to have been motivated by economic reasons. The care of old or infirm slaves unable to work presented an unwelcome burden to their owners and five “old Muslim women” were allowed to redeem themselves for 1000 *reais* and return to Fez in 1470.³⁸ In spite of this document, the freedmen or freedwomen were clearly not always elderly men and women. The manumission of Zahrā’, the slave of Fernão Patalim, specifies that she was aged between 28 to 30 years old.³⁹ In 1466 two Muslim slaves from Fez belonging to separate owners, Mūsā and Sulaymān, were permitted to redeem themselves in return for the payment of 20000 and 12000 *reais* respectively. The huge discrepancy between these sums and those paid by the older women would suggest they were both relatively youthful and able-bodied men.⁴⁰

The final way in which slaves could regain their freedom was in exchanges of Muslim prisoners and slaves held in Portugal with Christian captives in North Africa. The Trinitarian Order, dedicated to the deliverance of Christian captives, was present in Portugal since the start of the thirteenth century and fifteenth-century documents attest to the ex-

como senpre seruja tres anos acabados que se começassem prymeyro dia de Janeiro do ano de noso Senhor Jhesu christo de mjl iiijc Lxxbijte e se acabasem por primeiro dia do mes presente e era desta carta de mjl iiijc Lxxxta elle ficase lyure e forro sem nos nem pesoe algua em elle teer algum direito...”, ANTT, *Chancelaria de D. Afonso V*, livro 32, fols. 7-7v.

³⁶ “... forro e exsento tam Jnteyramente como o sam os outros mouros forros...”, ANTT, *Chancelaria de D. João II*, livro 2, fol. 7.

³⁷ ANTT, *Chancelaria de D. Afonso V*, livro 33, fol. 178.

³⁸ Perez, *O livro de recebimentos*, 60.

³⁹ ANTT, *Chancelaria de D. João II*, livro 23, fol. 74.

⁴⁰ ANTT, *Chancelaria de D. Afonso V*, livro 14, fol. 8 and 61v.

istence of a special official — the *alfaunque-mor* — who was charged with arranging the redemption of captives and who worked with a number of subordinate officials.⁴¹ The Crown did not arrange regular prisoner exchanges and the financial burden of redeeming prisoners of war fell largely on their own families. In February 1455 Catalina Vaz and her daughter Catalina Afonso were granted the right to beg and receive money in all the cities, towns and villages of the kingdom in order to gather enough money to purchase a Muslim slave from Fez who could be exchanged for Diogo Afonso, respectively the son and brother of the above, who was a held prisoner in Fez.⁴²

The Portuguese Crown sought to control the process of manumission through a system of licences, presumably for financial reasons since owners would have to pay a fee to obtain these licences. One such licence was granted to the knight Pero Vaz of Oeiras in 1471:

We hold it to be right and grant to [Pero Vaz] a licence to emancipate his slave named ‘Abd al-Raḥmān so long as he does not do so with money from the land except if [‘Abd al-Raḥmān] works and does other things which he orders him to do. [‘Abd al-Raḥmān] should be emancipated and freed after the completion of the time period stipulated in the contract between Pero Vaz and his slave.⁴³

Owners who failed to acquire such manumission licences faced fines and the confiscation of their slaves. Thus, for instance, the slaves of a nobleman serving in the royal household were confiscated in 1480 since they had concluded an agreement with their owner “without my licence to do so”.⁴⁴ Likewise, when Rui Gomes of Santarém failed to seek a royal licence to manumit his slave after 9 years of labour, the crown confiscated the slave in 1482.⁴⁵ This rule was apparently relaxed under King João II in 1487. The monarch sent a letter to the councillors of Tavira, authorising them to enter into

⁴¹ Braga, I.M.R. Mendes Drummond, *Entre a cristandade e o Islão (séculos XV-XVII): Cativos e renegados nas franjas de duas sociedades em confronto*, Ceuta, 1998, 145-168.

⁴² ANTT, *Chancelaria de D. Afonso V*, livro 15, fol. 103v.

⁴³ “... temos por bem e damos lhe licença e lugar que possa forrar hum seu escravo per nome chamado aderraman comtanto que nom seja com dinheiro da terra saluo laurando e fazendo outras coussas que lhe mandar e acabando o tenpo que sse com elle conjuer fique forro e isento segundo a forma do contrauto que antre o dicto pero vaaz e sseu escrauo for fecto...”, ANTT, *Chancelaria de D. Afonso V*, livro 16, fol. 121.

⁴⁴ ANTT, *Chancelaria de D. Afonso V*, livro 21, fol. 73v.

⁴⁵ ANTT, *Chancelaria de D. João II*, livro 27, fol. 33 (confirmed in 1483).

manumission contracts with their Muslim slaves “in any manner (...) so long as [the freed slaves] live in this kingdom in the same way as all the other free Muslims of the Muslim quarters”.⁴⁶ Whether this measure was applied solely to Tavira or to the whole realm is not known. Documents in the fifteenth century frequently specify whether or not a slave was authorised to ransom himself with “money from the kingdom”. This proviso appears to stem from a law instituted in 1452 that forbade the emancipation of Muslim slaves unless that freedom had been purchased by “foreign money” or the slave was to be exchanged for a Christian captive in Muslim lands.⁴⁷

Muslim Slaves and Mudéjars

Muslim slaves did not constitute the only Muslim presence in medieval Portugal. Since the twelfth century, there also existed various communities of free Muslims in a number of towns in the southern half of the kingdom who were allowed to remain in Portugal under the protection of the Crown. These Muslims — designated as “mouros forros” but now generally referred to by historians as mudéjars — were organised into autonomous communities, or *comunas*, and from the end of the fourteenth century lived in segregated Muslim quarters or *mourarias*.⁴⁸

Modern research on the kingdom of Valencia had revealed that there was considerable interaction between the mudéjars and Muslim slaves.⁴⁹ The documentary evidence suggests that relations between the free Muslim communities and their enslaved coreligionists in Por-

⁴⁶ ANTT, *Livro 2 de Odiana*, fol. 254v.

⁴⁷ “De como he defeso, que se nom forre Mouro ou Moura cativo, se nom por preço que traga de sua terra, ou per resguate d’outro Christaaõ, que lá jaz cativo”, *Ordenações Afonsinas*, livro IV, título 111.

⁴⁸ The research of Maria Filomena Lopes de Barros has done much to shed light on this hereto unknown minority. See Barros, M. F. L. de, “As comunas Muçulmanas em Portugal (Subsidios para seu estudo)”, *Revista da Faculdade de Letras. História*, Porto, 2.^a serie, 7 (1990), 85-100 and *idem*, *A comuna muçulmana de Lisboa (sécs. XIV-XV)*, Lisbon, 1998.

⁴⁹ Meyerson, M. D., “Slavery and the social order: Mudéjars and Christians in the kingdom of Valencia”, in *Medieval Encounters*, 1 (1995), 144-173 and *idem*, “Slavery and solidarity: Mudéjars and foreign Muslim captives in the kingdom of Valencia”, in *Medieval Encounters* 2 (1996), 286-343; O’Connor, I., “Mudéjars helping other mudéjars in the kingdom of Valencia”, *Al-Masâq*, 17 (2006), 99-107.

tugal were just as strong. This should certainly not come as any surprise, as there is compelling evidence to suggest that these communities may have been in part composed of freedmen who remained Muslims. As early as 1280, we find a reference to a carpenter named Sa'īd “que foy de Pedro Rodriguez” living in Évora.⁵⁰ In the fifteenth century, many Muslim freedmen were required by the terms of their manumission to remain in Portugal and thus merged into the mudéjar community. There is irrefutable evidence that Portuguese mudéjars — apparently in demographic decline — actively sought to incorporate freed Muslim slaves into their communities in this manner. A document of 1451 refers to a slave named Muḥammad of Granada who was married to a free Muslim woman of Lisbon named Fāṭima.⁵¹ Such was the demographic pressure that, between 1463 and 1487, the Muslim communities of Loulé, Tavira, Santarém, Lisbon, Moura, Elvas and Beja all successfully petitioned the Crown to grant them the right to purchase Muslim slaves of both sexes in order to redeem them and marry them. They alleged that they did not dare to do so because of the royal ordinances restricting manumission and the Crown granted their petition.⁵² The need to purchase Muslim slaves was compounded by the fact that the conversion to Islam of non-Muslim slaves from sub-Saharan Africa was strictly prohibited without the procurement of a special royal licence and offenders were punished. In 1463 the crown confiscated a black slave owned by a mudéjar of Silves named Mūsā Toque and granted him to Afonso Lobo. The grant specifies that Mūsā Toque had lost the slave because he had “circumcised him without having a licence from Us to do so”.⁵³

The religious ties that existed between mudéjars and Muslim slaves and the solidarity that they engendered sometimes also gave rise to

⁵⁰ Azevedo, P. A. de (ed.), *O Livro dos bens de D. João de Portel*, Lisbon, 2003, 97-8, 153

⁵¹ ANTT, *Mosteiro de Santos-o-Novo*, caixa 7, 582.

⁵² ANTT, *Chancelaria de D. Afonso V*, livro 9, fols. 105v-106 (Loulé 1463) and fol. 109 v (Tavira 1466); livro 38, fol. 60 (Santarém 1466); livro 21, fol. 73v (Lisbon 1471); livro 33, fol. 160 (Moura 1474); *Chancelaria de D. João II*, livro 21, fol. 125 (Elvas 1472); livro 20, fol 30v (Beja 1487).

⁵³ “... a nos disserom que huum murça toque mouro morador em a nossa cidade de silves conprou huum moço negro escrauo e ho çercundou e o rretalhou sem tendo pera ello nossa licença por a quall rrazom per bem da nossa hordenaçom sobre ello fecta e direito comum perde o dicto escrauo pera nos...”, ANTT, *Chancelaria de D. Afonso V*, livro 8, fol. 159v.

danger for the mudéjars. This is revealed by a law enacted in 1421 by João I, in which the monarch ordered his officials and subjects not to harass and arbitrarily arrest mudéjars whom they suspected of harbouring fugitive slaves. The law refers to a letter of complaint sent to the king by the mudéjars of Lisbon that describes the abuses in explicit terms:

The free Muslim community of Lisbon has sent Us [word] that whenever a knight or any other person finds that one of his Muslim slaves has escaped they seize [the free Muslims] without having discovered the slaves in their houses and extorted bribes from them. They seize from [the free Muslims] what they possess without having lodged a formal complaint with named witnesses and, if [the free Muslims] do not bribe them, then they have them tortured.⁵⁴

The king added that the mudéjars of Lisbon had also warned him that the level of abuse had reached such intolerable levels that some of his Muslim subjects were leaving the kingdom.

Even more suggestive is a royal pardon granted in 1446 to a mudéjar named Qāsim Laparo. The documents states that in 1444 a group of Muslim slaves were put to death for the murder of a Christian child in Lisbon. Arrested and tortured by the Christian authorities, one of the slaves implicated Qāsim Laparo, a noted mudéjar of Lisbon, in their unsuccessful attempt to escape from Portugal. Qāsim Laparo was accused of having advised them to secretly dispose of the body in the sea and providing 400 *reais* to the slaves. Keen to have them leave Portugal as soon as possible, he also gave them a letter of recommendation for all the mudéjar communities of Portugal, asking them to shelter and provide the fugitive slaves with sufficient funds to enable them to leave the kingdom and seek refuge in Islamic territories. In his defence, Qāsim Laparo stated that he had acted out of fear that news of the murder would provoke a great riot by the Christian population and that “all the Muslims of the Muslim quarter (*mouraria*) of Lisbon would be put to the sword”. In recognition of the attenuating circumstances, Qāsim Laparo was fined 100 golden

⁵⁴ “... o comuu dos Mouros de Lixboa nos enviou dizer, que tanto que a alguu cavalleiro, ou a alguã outra pessoa fogia alguu Mouro dos captivos, que logo lançavam maão por elles, sem achando os cativos em seu poder, fazendo-os por ello espeitar, levando delles o que teem sem dando querella jurada, e em ella testemunhas nomeadas, e que se lhes nom peitavam, que os fazião meter a tormento...”, *Ordenações Afonsinas*, livro II, título 118.

crowns which were to be used to redeem a Christian captive in Granada or North Africa.⁵⁵

In spite of the law of 1421, the suspicion of complicity by mudéjars in the escapes or crimes of slaves is attested in a number of later documents. Fernão Afonso Faleiro was pardoned and fined 1000 *reais* in 1483 for having falsely accused a mudéjar named 'Alī Carrapato of having helped a Muslim slavewoman who had stolen money from her Jewish master. 'Alī Carrapato had been accused of having promised to redeem her with the money and marry her to one of his sons.⁵⁶ In another case, revealed by two separate documents of November and December 1462, 'Alī Boino, a mudéjar of Palmela, was arrested and imprisoned after complaints were made by two Christian inhabitants of the nearby port of Setúbal that he had aided and abetted the escape of two Muslim slaves.⁵⁷

A number of Portuguese mudéjars received licences to travel to North Africa and it appears that they were actively involved in the ransoming and exchange of slaves and prisoners of wars. A safe-conduct delivered in 1371 to Adela, the leader of the mudéjars of Lisbon, authorised him to take slaves purchased by him and other Portuguese mudéjars to North Africa and Granada.⁵⁸ This involvement of the mudéjars continued into the fifteenth century and it is worth noting that Muḥammad Laparo, the last religious leader of the mudéjar community of Lisbon, was one of the few mudéjars allowed to remain in Portugal after the expulsion of all free Muslims residing in Portugal by Manuel I (1495-1521) in December 1496. In a petition addressed to the Crown dating from after the expulsion, Muḥammad Laparo sought the payment of 45 *cruzados* to cover the expenses of his daughter and nephew in North Africa, who were arranging the exchange and ransoming of prisoners.⁵⁹ In one case, the mudéjar community of Lisbon stood as guarantors for a certain Muḥammad Abelhos who needed to go to North Africa to visit his friends and family to secure the ransom needed to redeem himself, his wife and his children.⁶⁰ The Crown even went

⁵⁵ ANTT, *Chancelaria de D. Afonso V*, livro 5, fols. 90-90v.

⁵⁶ ANTT, *Chancelaria de D. João II*, livro 26, fol. 111v.

⁵⁷ ANTT, *Chancelaria de D. Afonso V*, livro 1, fol. 116 and livro 12, fol. 118.

⁵⁸ ANTT, *Chancelaria de D. Fernando*, livro 4, fol. 1v.

⁵⁹ ANTT, *Cartas Missivas*, maço 1, 272.

⁶⁰ ANTT, *Chancelaria de D. Afonso V*, livro 22, fol. 52v. See Barros, M. F. L. de, "As mourarias portuguesas no contexto da expansão", *Cadernos Históricos*, 2 (1991), 35.

so far as to use the mudéjar community of Lisbon as a depository for captives. In the last decade of the fourteenth century, King João I decided to entrust the mudéjar community of Lisbon with the care of six Muslim prisoners — including two from Granada — whilst their fates were decided.⁶¹

There is only limited documentary evidence that Portuguese mudéjars bought Muslim slaves not only with the object of manumitting them but also to serve them just as they served Christian or Jewish owners. In 1466, for instance, Fāṭima Aznege, the slave of Qāsim Laparo and his wife Fotoz (?), was pardoned for having taken part in the escape of her master's son from the *mouraria*'s prison.⁶² Another case is that of a freedman named Fernando who, prior to his conversion to Christianity, was owned by Ibrāhīm, a mudéjar of Faro in the Algarve.⁶³ It is difficult to know what to make of these two cases. There are other isolated examples of inter-Muslim slavery from the eastern parts of the Iberian Peninsula but it seems more probable that these cases represent atypical occurrences.⁶⁴

Slaves and the Law in Portugal

In legal terms, slaves were not considered to be “legal persons” but animated objects. The encyclopaedic thirteenth-century Castilian law code known as the *Siete Partidas* — which had a major influence on Portugal legislation — described slaves as “another kind of men” without any civil rights.⁶⁵ In this context it is not surprising to find three slaves being exchanged for a piece of land in 1155 or a slave named Muḥammad listed alongside a donkey in a will dating from the twelfth or thirteenth century.⁶⁶ As “legal objects”, slaves were also

⁶¹ ANTT, *Chancelaria de D. João I*, livro 5, fols. 33v-34.

⁶² ANTT, *Chancelaria de D. Afonso V*, livro 38, fol. 61.

⁶³ ANTT, *Chancelaria de D. Afonso V*, livro 33, fol. 60.

⁶⁴ Catlos, B. A., *The Victors and the Vanquished*, Cambridge, 2004, 231-2. On this point the documents from Toledo are not conclusive, see Soyer, F., “Muslim freedmen in Castile, León and Portugal (1100-1300)”, *Al-Masāq*, 18 (2006), 142.

⁶⁵ *Las siete partidas*, S. P. Scott (transl.) and R. I. Burns (ed.), Philadelphia, 2001, 977-980.

⁶⁶ “Et pro illa haereditate recepimus in praetium tres mauros...”, Vasconcellos, *Etnografia portuguesa*, 4, 343; “... j maurum qui vocatur Mafomede et una asina cum sua filha...”, ANTT, *Mosteiro de Chelas*, maço 7, 131.

dividable and a document of 1268 refers to the right of ownership of “half a Muslim” and “a quarter of a Muslim”.⁶⁷ One of the main issues surrounding the “partial ownership” of slaves was their resulting “partial manumission”. The undated customs of Garvão (thirteenth or fourteenth centuries) mention the fact that a slave might be half, a third or even a quarter free but little is known about such partial ownership in the fifteenth century.⁶⁸

The relative legal impunity of slave owners is highlighted in a pardon granted in June 1463 to a merchant of Porto named João Eanes. The merchant had beaten his black Muslim slave — who was described as being “very mischievous” (*muito travesso*) — with a club, inflicting a small but fatal head wound. João Eanes, who had gone into hiding out of fear that the Crown’s officials might punish him, was nevertheless pardoned since he was considered to be legally “blameless” in the death of his slave and furthermore there was no one to file a suit against him “as [the deceased] was a slave and a native of Muslim lands”.⁶⁹ Another pardon delivered on 17 December 1472, describes how a man named Vasco Perez — an inhabitant of Vila Franca de Xira and labourer on Crown lands — was fined 6000 *reais* after the death of his slave, described as a Muslim from Guinea, who had fled but been recaptured. According to the pardon, Vasco Perez had whipped the slave, who had later refused to eat and subsequently died “out of spite”. Crucially, Vasco Perez was not actually fined because of the death of his slave, for which he was held to be guiltless by law. The pardon notes instead that the master had not acted “with the method and temperance which should be used in punishing and disciplining [a slave]”.⁷⁰

The law stipulated that the slaves of Muslims and Jews who converted to Christianity were to be manumitted.⁷¹ The extent to which this legislation was enforced is nonetheless unclear. A *mudéjar* of Faro named Ibrāhīm, for example, was compelled to manumit his slave in 1473 when the latter converted to Christianity and took the

⁶⁷ Pradalié, G., *Lisboa da Reconquista ao fim do século XIII*, Lisbon, 1975, 83-4.

⁶⁸ “... o crischão que assy forra meyo ou terço ou quarto dalguum seu mouro...”, Herculano, A. *et al.*, *Portugaliae Monumenta Historica, Leges et Consuetudines*, Olisipone, 1858-1868, 2, 80.

⁶⁹ ANTT, *Chancelaria de D. Afonso V*, livro 9, fol. 99v.

⁷⁰ ANTT, *Chancelaria de D. Afonso V*, livro 29, fol. 266v.

⁷¹ *Siete Partidas*, Partida IV, título XXI, ley VIII.

name Fernando.⁷² Nevertheless, after complaints made by the representatives of the commons in a parliament, the Crown decreed once more in 1490 that Jews and Muslims owning slaves who converted to Christianity were legally compelled to free them within a set period of time.⁷³ The impact of this law is also highly debatable. The German traveller Münzer, who visited Lisbon in 1494, recorded in his extant travel journal that the wealthy Jewish merchants of Lisbon owned large numbers of slaves.⁷⁴

Although slaves had the right to marry, the Portuguese documentation is scarce on this topic.⁷⁵ As early as 1281, a will from Coimbra mentions “my slave Sa’īd and his wife ‘Ā’isha” and in 1451 we find a slave married to a mudéjar.⁷⁶ Only one rare marriage certificate granted to two Muslim slaves has survived. In April 1477 Afonso V granted a marriage licence to Muḥammad and ‘Ā’isha, two slaves owned by the powerful Duke of Bragança.⁷⁷ Marriages or sexual relationships between two Muslim slaves could lead to serious complications if one of them converted to Christianity. This is at least what occurred to Catarina Gonçalves, the baptised slave of the royal chaplain Martim Gonçalves, who was fined 1500 *reais* for having had sexual relations with a Christian in 1490. The pardon records that Catarina claimed she had been captured by her master during the capture of the Moroccan town of Arzilla in 1471 alongside another slave named Muḥammad and that they had both been brought to Portugal. Whilst they were both captives and still Muslims, Catarina and Muḥammad had had sexual relations and she had borne him a son and a daughter. Muḥammad, however, had converted to Christianity and taken the name Jorge Martins in 1488 but she had remained a Muslim. In spite of his conversion, Jorge Martins continued to have sexual relations with Catarina — though she claimed it was against her

⁷² ANTT, *Chancelaria de D. Afonso V*, livro 33, fol. 60.

⁷³ On the law passed at the parliament of Évora in 1490 see Saunders, *A Social History of Black Slaves*, 63.

⁷⁴ “Reperiuntur hic ditissimi Judei, qui quasi omnes merces vendunt, qui ex solo selavorum suorum labore vivunt”, Münzer, H., “Itinerarium Hispanicum”, L. Pfandl (ed.), *Revue Hispanique*, 48 (1920), 88.

⁷⁵ On marriages between slaves see *Siete Partidas*, Part IV, Title V.

⁷⁶ “... meum sarracenum Cayde et uxorem suam Ayxam...”, ANTT, *Mosteiro de Santos-o-Novo*, Caixa 7, 356.

⁷⁷ ANTT, *Chancelaria de D. Afonso V*, livro 33, fols. 75v-76.

will — and fathered another son. Due to her condition, she had soon been denounced by people “who wished her ill” and imprisoned.⁷⁸

A number of pardons granted by the Crown during the fifteenth century illustrate the different ways in which the sexual activity between slaves of different religions could fall foul of the law. An incident that occurred in the southern town of Tavira is particularly interesting in this respect. Pero, the slave of a Christian woman named Beatriz, was accused of raping Zahrā', the slave of a Genoese resident of Tavira. The owner of Zahrā' accused Pero of having attacked his slavewoman whilst on her way to wash clothes in the river. It was alleged that Pero “threw her onto the ground to sleep with her by force, which left the Muslim woman extremely distressed and [afterwards] she ran back to the town in tears”. In the end, Pero was pardoned in April 1475 by the owner of Zahrā' and his owners were condemned to pay a fine of 1000 *reais*.⁷⁹ A pardon granted in 1482 to Mariam, the slavewoman of the surgeon general of Portugal Master Fernando, shows that the defence of rape was not always accepted as an excuse by the courts. The hapless Mariam was prosecuted for having had illegal sexual relations with Diogo de Castro, a converted slave, owned by a Christian also called Diogo do Castro. In her defence, Mariam stated that she had slept with the convert “as much out of fear than for any other reason” (... *tanto por medo como por outro respeito*...). According to her version of events, whilst she was washing clothes in the river, Diogo de Castro had threatened to kill her if she did not let him into her master's house during the night. The convert, described in the document as an *homem matador e acujtellador*, had then raped her. Mariam was pardoned by the crown in return for a fine of 1000 *reais* paid by her owner.⁸⁰

The vulnerability of female Muslim slaves to sexual exploitation by their Christian masters is evident in documents. King Afonso I and his great-grandson Afonso III, along with some of their noblemen, are themselves both known to have fathered children by slave women.⁸¹ In the fifteenth century, however, the anxiety surrounding sexual contact between Christians and Muslim slaves led to a far less permissive

⁷⁸ ANTT, *Chancelaria de D. João II*, livro 15, fol. 22.

⁷⁹ ANTT, *Chancelaria de D. Afonso V*, livro 30, fols. 82-82v.

⁸⁰ ANTT, *Chancelaria de D. João II*, livro 3, fol. 84.

⁸¹ Vasconcellos, *Etnografia portuguesa*, 4, 334; Herculano, A. et al., *Portugaliae Monumenta Historica, Scriptores Vol. 1, livros de Linhagens*, Olisipone, 1861, 162 and 182.

atmosphere. Muslim slaves were required to wear a distinguishing symbol on their clothing just like the mudéjars and those who failed to wear the symbols were punished. A slavewoman of the deceased *Infanta* Catarina and another slavewoman owned by a certain João de Chaquedo were both imprisoned and condemned to a flogging for not wearing the symbol in December 1471.⁸² Male or female slaves found guilty of transgressions were subjected to harsh punishments. On the distant Atlantic island of Madeira, a converted slave named João Penteado was accused in 1485 of having slept with a Christian woman “whilst still a Muslim”. He was condemned to be flogged in public and then deported to the newly explored island of São Tomé for the rest of his life.⁸³ Nonetheless it appears that the Crown did take into account particular circumstances. This certainly appears to have been the case for João de Abeu, an official of Porto, who entertained sexual relations with a slavewoman who did not belong to him. In recognition of the fact that the woman had become a Christian along with the son sired by João de Abreu, a royal pardon was granted to both of them and she was granted to him.⁸⁴ A far less clement position was adopted by the Crown when the master of a Muslim slave not only slept with her but also committed adultery. This was the case for an inhabitant of Tavira named Fernão Gonçalves Rasto, who was pardoned but still fined 1000 *reais brancos* in 1473 after having slept with his Muslim slavewoman “while she was still a Muslim”. The slavewoman had converted to Christianity and borne her master two children but the latter was already married. Fernão claimed as attenuating circumstances “the fact that he is aged 70 and his wife is 75 and she had been paralysed and blind for ten years”.⁸⁵

Sexual relations between Muslims and Jews did not fall within the jurisdiction of Christian laws but two cases concerning slaves have left a trace in the royal registers. In the first case, a Jew of Santiago do Cacém named Judas Ambrão was fined 500 *reais* in 1491 for having illegally converted to Judaism the son he had fathered by his Muslim slavewoman. In this instance the Jewish master was not fined for hav-

⁸² In the end both women were spared the flogging. ANTT, *Chancelaria de D. Afonso V*, livro 16, fol. 39 and livro 17, fol. 84.

⁸³ ANTT, *Chancelaria de D. João II*, livro 15, fol. 22.

⁸⁴ ANTT, *Chancelaria de D. Afonso V*, livro 7, fol. 28v.

⁸⁵ ANTT, *Chancelaria de D. Afonso V*, livro 33, fol. 21.

ing sex with his slave but rather for not having obtained — and paid for — a royal licence to convert his slave.⁸⁶ In the second case, a slave named ‘Alī, who is described as a “white Muslim” and the property of a Christian widow of Santarém, received a pardon for having had sexual intercourse with the daughter of a Jew of the same town in return for a fine of 2000 *reais* which was to be spent on a monument dedicated to the deceased *Infante* Fernando in the monastery of São Francisco de Santarém.⁸⁷

It is usual to see the slaves as the victims of violence but in some cases they were the perpetrators of it, often in the company of their masters. In the violent society that was medieval Portugal, slaves became involved in the disputes of their masters.⁸⁸ In 1482 João de Freitas, an inhabitant of Lagos in the Algarve, was fined 2000 *reais* for his part in a brawl that left many people wounded and was condemned to pay another 2000 *reais* for the participation of his slave Muḥammad in the affray.⁸⁹ Two years later, a knight of the royal household named Afonso Matos obtained a similar pardon for his slaves ‘Alī and Jorge. Both men were implicated in an assault on João de Coimbra, the first of having pulled his hair and the second of “having been present” during the assault. The document does not leave any doubt that the slaves had acted alongside their master during the attack.⁹⁰ Finally it is worth mentioning the case of ‘Alī — the slave of a Christian magistrate no less — who was pardoned for having taken part in the pillage of the largest Jewish quarter of Lisbon by a Christian mob in December 1449.⁹¹

Escape and Flight

The abject social status of slaves, and the harsh treatment to which they were often subjected, naturally moved many slaves to resort to flight in order to recover their freedom. The problem of escape by

⁸⁶ ANTT, *Chancelaria de D. João II*, livro 9, fol. 93.

⁸⁷ ANTT, *Chancelaria de D. Afonso V*, livro 33, fols. 140-140v.

⁸⁸ On violence in medieval Portugal and the Crown’s attempts to control it see Duarte, L. M., *Justiça e criminalidade no Portugal medievo*, Lisbon, 1999.

⁸⁹ ANTT, *Chancelaria de D. João II*, livro 2, fol. 120.

⁹⁰ ANTT, *Chancelaria de D. João II*, livro 23, fol. 113.

⁹¹ ANTT, *Chancelaria de D. Afonso V*, livro 34, fol. 5. On the riot of 1449 see Moreno, H.B., “O Assalto à Judiaria Grande de Lisboa”, *Marginalidade e Conflictos Sociais em Portugal nos séculos XIV e XV*, Lisbon, 1985, 89-132.

Muslim slaves is discussed as early as the municipal *forais* of the twelfth century. In 1284 a law forbade ferrymen to transport slaves across the Tajo river unless they were accompanied by their masters.⁹² The customs of Guarda — dating from the thirteenth or fourteenth centuries — ordered the owners of slaves to punish fugitives by amputating one of their feet and explicitly banned slaves from eating meals or having drinks in taverns or houses other than those of their masters.⁹³ A law promulgated at an unknown date before 1351 even forced the owners of boats on which slaves escaped to compensate their owners.⁹⁴

In the fifteenth century, the escape of slaves was one of the problems dealt with by the legal compilation known as the *ordenações afonsinas*. In a law promulgated between 1412 and 1433, when the prince was associated as co-ruler by his father João I, the *infante* Duarte highlighted the importance of the phenomenon of flight amongst the servile population:

We, the prince, have been reliably informed that the greater part of the slaves in the whole realm [often] take flight with the assistance of certain people who [dare to] help them because there is no one to search for them and arrest them when they escape. [This occurs] even though [some people] may know of [the escape] because [these people] have nothing to gain from [preventing it]. In this way their owners lose [the slaves] and cannot recover them.⁹⁵

The *infante* decreed that anyone who apprehended a fugitive slave would be entitled to a payment of 1000 *reais brancos* from the owner. If the owner could not pay, or was unwilling to pay, the 1000 *reais* then the slave remained the property of the man who had found and arrested him or her. The *ordenações afonsinas* punished any individual(s) found guilty of aiding and abetting the escape of slaves with stiff penalties. Individuals who acted as guides to fugitive slaves were to remain “in the power of those who apprehended them, just like

⁹² *Arquivo Histórico da Câmara Municipal de Lisboa, Livro 2.º de Místicos de Reis*, n.º 1.

⁹³ Herculano, *Portugaliae Monumenta Historica, Leges et Consuetudines*, 10 and 11.

⁹⁴ ANTT, *Leitura Nova, Estremadura, livro 1*, fol. 108.

⁹⁵ “Nos o iffante avemos per certa enformaçom, que a maior parte dos Mouros cativos de todo o regno fogem, e se vaaõ, assy per consentimento d’alguus, que os levam, e encaminhão, como por hi nom aver nehuu, que se trabalhe de os buscar, e aver aa mão quando fogem, posto que o saibam, por entenderem que dello lhes nom vem alguu proveito; e per esta guisa os perdem se os donos, e os nom cobrão mais”, *Ordenações Afonsinas, livro II, título 113*.

prisoners of war” while those found culpable of aiding slaves — for instance by hiding them or providing them with money and clothes — were to be imprisoned until they paid a fine worth three times the value of the escaped slave. A third of this fine was to be handed over to those who had denounced the culprit, another third was destined to compensate the owner(s) of the slave for their loss and the remaining third was to be paid over to the Crown.⁹⁶ If a Christian serving as a guide for a runaway slave was captured by a Jew or a free Muslim then the law specified that the wrongdoer was to be handed over to the Crown’s representatives as “a Christian cannot be the captive of a Jew, or a Muslim or any other infidel”.⁹⁷

Such laws meant that manumission did not mean the end of trouble for the erstwhile slaves. The fear of being mistaken for a fugitive slave, and molested by either the authorities or vigilantes, is obvious in a number of fifteenth century documents. A privilege granted by the Crown in February 1440 to João Peres, his wife Catarina and their sons João and Diogo confirmed their status as freedmen “since some people reject them and take them to be slaves in spite of the fact that they are Christians”.⁹⁸ Later, in July 1463, the Crown granted a similar certificate of freedom to Martinho — a convert and freedman — because “he fears that some [people] will claim that he is a Muslim and will seize and arrest him as a [fugitive] slave”.⁹⁹ The problem of the misidentification of freedmen as slaves continued into the early sixteenth century. In 1517, for example, a Moroccan convert named João de Meneses, who does not appear to have ever been a slave, was granted a royal certificate of freedom for the reason that he feared arrest “because he looks like a Muslim”. This strange expression — referring possibly to his dress or, more likely, dark skin colour — is indicative of the precarious status of freedmen in Portugal.¹⁰⁰

Where did escaped slaves go? The documents are largely silent on this interesting issue but it is not difficult to find convincing hypotheses. Documents indicate that, during the same period, members of the free Muslim minority illegally migrated to North Africa, the emirate

⁹⁶ *Ordenações Afonsinas*, livro II, título 114.

⁹⁷ *Ordenações Afonsinas*, livro V, título 113.

⁹⁸ ANTT, *Chancelaria de D. Afonso V*, livro 20, fol. 83.

⁹⁹ “... por que se temja alguns crendo que era mouro o prenderem e filharem por escrauo...”, ANTT, *Chancelaria de D. Afonso V*, livro 9, fol. 106v.

¹⁰⁰ ANTT, *Chancelaria de D. Manuel I*, livro 9, fol. 28v (... pareçemdo ser mouro...).

of Granada and Castile and there is no reason to suspect that slaves differed in their choice of destination.¹⁰¹ Whilst reaching the Muslim territories in North Africa presented considerable difficulties — since these were overseas — many fugitives apparently sought refuge in the neighbouring kingdom of Castile and also probably in the emirate of Granada before 1492. In 1464 an inhabitant of the border town of Moura received a pardon for having helped two fugitive slaves cross over into Castile.¹⁰² A little over a decade later, in June 1476, a petition was submitted to the Crown by Domingos Vaz Rasco and Gonçalo Eanes, two inhabitants of Tavira, to have the manumission agreements of their slaves recognised by the Crown. The two men stated that they had agreed to free two slaves named ‘Alī and Bakr after these had served them for a set period of time that is not specified. The contract had been hastily concluded during the war between Portugal and Castile (1474-1476) because the owners were afraid that their slaves would take advantage of the conflict to flee to Castile.¹⁰³ In one surprising case, an escaped slave who had reached “his lands” (apparently Granada or North Africa) petitioned the Crown to be able to return to Portugal. It is indeed the case that in March 1450 Afonso V granted a safe-conduct to return to Hidam “who used to belong to Gonçalo Nunes, an inhabitant of Tavira” in consideration of the fact that he admitted that he had acted “misguidedly”.¹⁰⁴

Conclusion

In the conclusion of his general study of slavery in the medieval Mediterranean, Jacques Heers comments that “ce qui frappe le plus est bien l’extrême diversité des destins humains, des situations économiques et sociales, des circonstances de l’intégration et du processus d’assimilation”.¹⁰⁵ The same comment can certainly be applied to the Muslim slaves who lived and worked in medieval Portu-

¹⁰¹ Braga, I. M. R. Mendes Drummond, “Contribuição para o estudo da mobilidade dos mouros forros em Portugal nos séculos XIV e XV”, *La Peninsula Iberica en la era de los descubrimientos 1391-1492. Actas III Jornadas Hispano-Portuguesas de Historia Medieval*, 2, Seville, 1997, 1683.

¹⁰² ANTT, *Chancelaria de D. Afonso V*, livro 8, fol. 110.

¹⁰³ ANTT, *Chancelaria de D. Afonso V*, livro 7, fol. 111.

¹⁰⁴ ANTT, *Chancelaria de D. Afonso V*, livro 34, fol. 22.

¹⁰⁵ Heers, J., *Esclaves et domestiques au moyen âge dans le monde méditerranéen*, Paris, 1996, 285.

gal. The documentary sources highlight the extremely complex relations that existed between slaves and their owners, something that is far from evident in the normative law codes and municipal charters of the same period. Given the nature of the documents, and their quantitative paucity, it is difficult to extrapolate from them without running the risk of producing baseless generalisations. The only discernable pattern in the extant documentary evidence is the shift in the nature of Muslim enslavement from an apparently rural focus in the twelfth and thirteenth centuries to its emergence as a predominantly urban phenomenon in the fifteenth century.

The expulsion of the free Muslims from Portugal in December 1496 did not affect Muslim slaves and they continued to exist well into the modern era. Converted Muslim slaves appear in various denunciations made to the Inquisition of Lisbon during the sixteenth century. To cite but one example, on 1 February 1541, a baptised slave named João Verde was denounced for praising Muḥammad and respecting the Islamic *Sabbath* on Fridays as well as for having expressed his hopes that Lisbon would be attacked by the celebrated and feared Muslim corsair Barbarossa.¹⁰⁶ In addition to this, a small number of converted slaves who secretly continued to follow Islamic beliefs and customs feature in a number of Inquisition trials.¹⁰⁷ A detailed study of Muslim slaves in Portugal during the modern era has yet to be completed but there can be no doubt that the more abundant supply of slaves from sub-Saharan Africa meant that these slaves far outnumbered Muslim slaves from North Africa and supplanted them in terms of economic significance.¹⁰⁸

¹⁰⁶ Baião, A., "A inquisição em Portugal e no Brasil: as denúncias da inquisição de Lisboa", *Arquivo Histórico Português*, 6 (1908), 92.

¹⁰⁷ On the trials of these slaves by the Portuguese Inquisition see Boucharb, A., "Spécificité du problème morisque au Portugal : une colonie étrangère refusant l'assimilation et souffrant d'un sentiment de déracinement et de nostalgie", *Les Morisques et leur Temps*, Paris, 1988, 213-233 and *idem*, *Os Pseudo-Mouriscos de Portugal no século XVI*, Lisbon, 2004; Braga, I. M. R. Mendes Drummond, "Os Mouriscos perante a Inquisição de Évora", *Eborensia*, 13-14 (1994), 45-76 and *idem*, *Mouriscos e cristãos no Portugal quinhentista: duas culturas e duas concepções religiosas em choque*, Lisbon, 1999; Oliveira Ribas, R. de, "Práticas religiosas dos mouriscos em Portugal (Segundo os processos inquisitoriais)", in *Islão minoritário na Península Ibérica*, A. Sidarus (ed.) and H. Baquero Moreno (intro.), Lisbon, 2002, 67-77.

¹⁰⁸ Coelho, A. B., "Minorias étnicas e religiosas em Portugal no século XVI", in *Viagens e viajantes no Atlântico quinhentista. Primeiras jornadas de história Ibero-Americana*, M. da Graça and A. Mateus Ventura (eds.), Lisbon, 1996, 155-182.

Appendix

Manumission Charters and Licences in the *Torre do Tombo* (1371-1495) ¹⁰⁹

Date	Slave	Owner(s)	Reference
10 April 1371	“Biacó” and Fāṭima	Crown	<i>Chancelaria de D. Fernando, livro 1, fols. 71-71v.</i>
17 April 1442	João Álvares	Crown	<i>Chancelaria de D. Afonso V, livro 35, fol. 97v.</i>
13 July 1444	Álvaro da Silva	Queen	<i>Chancelaria de D. Afonso V, livro 24, fol. 80v</i>
7 December 1444	João Fernandes	Prince Fernando	<i>Chancelaria de D. Afonso V, livro 24, fol. 39v</i>
16 January 1445	Afonso Preto	João dos Banhos and Catarina Afonso	<i>Chancelaria de D. Afonso V, livro 25, fols. 6-6v.</i>
17 May 1451	Margarida Portador	Queen Mother	<i>Chancelaria de D. Afonso V, livro 11, fol. 66v.</i>
17 May 1454	Fāṭima (<i>natural</i> of Arzilla)	Crown	<i>Chancelaria de D. Afonso V, livro 10, fol. 44v.</i>
10 January 1466	Muḥammad (<i>natural</i> of Fez)	André Gil (royal squire)	<i>Chancelaria de D. Afonso V, livro 31, fol. 86v.</i>
24 January 1466	Mūsā (<i>natural</i> of Fez)	Álvaro Perez Cidreiro	<i>Chancelaria de D. Afonso V, livro 14, fol. 8.</i>

¹⁰⁹ This is not an exhaustive list of all references to Muslim freedmen.

Date	Slave	Owner(s)	Reference
15 March 1466	Sulaymān (<i>natural</i> of Fez)	João Gonçalves	<i>Chancelaria de D. Afonso V</i> , livro 14, fol. 61v.
10 June 1469	Cana (Qamar / Qā'im?)	João de Beja	<i>Chancelaria de D. Afonso V</i> , livro 33, fol. 153.
? ? 1470	Buzilayle (?)	Rui Lopes de Vasconcelos	<i>Chancelaria de D. Afonso V</i> , livro 29, fol. 213.
08 July 1471	ʿAbd al-Raḥmān	Pero Vaz (royal squire)	<i>Chancelaria de D. Afonso V</i> , livro 16, fol. 121.
20 November 1471	ʿĀ'isha	Mossem Coladro (Royal physician)	<i>Chancelaria de D. Afonso V</i> , livro 30, fol. 166.
18 December 1471	ʿUmar (<i>natural</i> of Guinea)	Beatriz Eanes	<i>Chancelaria de D. Afonso V</i> , livro 17, fol. 39.
18 July 1472	ʿAlī (<i>natural</i> of «Jabal Ḥabīb»)	João de França	<i>Chancelaria de D. Afonso V</i> , livro 29, fol. 217v.
03 December 1472	ʿAlī (a carpenter)	Rui Gomes	<i>Chancelaria de D. Afonso V</i> , livro 33, fol. 73.
10 February 1473	Fernando	Ibrāhīm (Mudéjar of Faro)	<i>Chancelaria de D. Afonso V</i> , livro 33, fol. 60.
10 September 1473	Andela (ʿAbd Allah?)	Garcia de Meneses (Bishop of Porto)	<i>Chancelaria de D. Afonso V</i> , livro 33, fol. 178.
20 June 1476	2 slaves named ʿAlī and Bakr	Domingos Vaaz Rasco and Gonçalves Eanes	<i>Chancelaria de D. Afonso V</i> , livro 7, fol. 111.

Date	Slave	Owner(s)	Reference
25 September 1476	Muḥammad	João Lopes (<i>contador da infante</i>)	<i>Chancelaria de D. Afonso V</i> , livro 38, fol. 79.
21 January 1480	Muḥammad	Crown	<i>Chancelaria de D. Afonso V</i> , livro 32, fols. 7-7v.
07 April 1481	Feyate (Fayyād) Azulejo	Crown	<i>Chancelaria de D. João II</i> , livro 2, fol. 7
17 April 1481	Muḥammad	João Afonso	<i>Chancelaria de D. Afonso V</i> , livro 26, fol. 109v.
06 September 1482	‘Alī	Pero de Queiróz (knight of the royal household)	<i>Chancelaria de D. João II</i> , livro 3, fol. 48v.
20 November 1482	Muḥammad	Rui Gomes	<i>Chancelaria de D. João II</i> , livro 27, fol. 33 ¹¹⁰
20 April 1484	Zahrā’	Fernão Patalim	<i>Chancelaria de D. João II</i> , livro 23, fol. 74.
06 September 1484	Yūsuf Álvarez (<i>natural of Arzilla</i>)	Count of Atalaia	<i>Chancelaria de D. João II</i> , livro 22, fols. 102-102v.
30 November 1484	‘Ā’isha	Master Pedro Navarro	<i>Chancelaria de D. João II</i> , livro 22, fol. 103v.
17 February 1491	João	Crown	<i>Chancelaria de D. João II</i> , livro 9, fols. 50-50v.

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¹¹⁰ This manumission was not carried out with a royal licence and was thus considered to be illegal.