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SLAVE WOMEN AND FREE MEN: GENDER, SEXUALITY AND CULTURE IN EARLY ABBASID TIMES

by

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AN ABSTRACT OF THE THESIS OF

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This thesis investigates the masculine conceptual framework defining the sexual and cultural roles of slave women in a selection of Abbasid legal, literary and historical male-authored foundational texts. It argues that the main Abbasid intellectual protagonists, namely the *'ālim*, the *faqīh*, the *adīb* and the *mu'arrikh*, perceived the licit and potentially uninhibited sexual access to concubines in urban and caliphal households as well as in *majālis* of poetry and song as an ethical, social and cultural threat which called for a delineation of the values and beliefs that governed sexual relations between free men and slave women. At stake was not only the demarcation of what constituted an ideal Muslim gendering of sexual roles but also the regulation of slave (and free) women's cultural roles.

The three genres of textual discourse, namely, legal, literary and historical, are studied in three chapters respectively. Each chapter presents an overview of a genre's relevance for the history of slave women and asks the following questions: What are the categories and vocabulary used to designate the sexual and cultural roles of slave women? How do gender, slavery, and cultural legitimacy intervene in defining these roles? How are they related to the roles of free women? The first chapter shows that the legal regulation of sexual relations between free men and slave women was primarily aimed at preserving social hierarchy, protecting the honor and dignity of free women, honor forming a distinctive feature of freedom, while granting slave women a margin of social mobility. The second chapter contends that *adab* discourse perceived the sexuality of both slave and free women as a source of conflict and favored a conception of both slave and free women as mainly producers of offspring rather than objects of desire. It encouraged the adoption of a similar ethical code of conduct with both slave and free women to ensure men's well-being and reduce tension within the household. The third chapter proposes that compilations of biographical entries on slave women reflect two contemporaneous appreciations of Islamic culture: an exclusive understanding which integrates the concubine and rejects the *qayna* by accounting only for what it considers as inherently Islamic; and a more inclusive vision which values pre-Islamic fields of cultural production such as music and poetry granting the *qayna* cultural legitimacy. Slavery differentiates between the roles of slave and free women within each cultural framework.

The conclusion suggests that despite their different fields of interest and cultural perspectives, foundational Abbasid discourses shared a common ethos which favored, within a certain cultural spectrum, self-restraint and moderation in the exercise of power as well as in the consumption of sexual and sensual pleasures.

CONTENTS

NOTE ON TRANSLITERATION

For transliteration, this thesis follows the guidelines set by the *International Journal of Middle Eastern Studies* transliteration guide. Arabic quotes have all been translated in the text into English.

CHAPTER I

INTRODUCTION

The third/ninth century *adab* anthology *al-Mahasin wa-l-Addad* includes the

following passage, under a subsection entitled *On the General Benefits of Slave*

Concubines (jawārī), which points to the increasingly widespread possession of slave

women as concubines in the Muslim territories stretching from Medina to Baghdad

between the first/seventh and the third/ninth centuries:

> It was said that people used to say: those who keep
> few provisions, seek thriftiness, good service, and
> much modesty must have slave women (*imā'*) and
> not free ones. Maslima b. Maslima used to say: I
> was surprised to see that those who enjoyed slave
> concubines (*sarārī*) would still marry free women
> who require a dowry; happiness comes from
> acquiring slave concubines (*sarārī*). The people of
> Medina used to abhor taking slave women (*imā'*)
> as concubine-mothers (*ummahāt awlād*) until the
> birth of ʿAli b. al-Husayn b. ʿAli, may God be
> pleased with them both, who surpassed the people
> of Medina in legal reasoning (*fiqh*), religious
> knowledge (*ʿilm*) and fear of God (*waraʿ*); people
> were then willing to take up concubines (*sarārī*);
> as for the Abbasid caliphs, only three are the sons
> of free women, al-Saffah, al-Mansur, and al-Amin.
> All the others are the sons of slave concubines
> (*jawārī*). The *jawārī* have indeed prevailed because
> they have brought together the might of the Arabs
> and the shrewdness of the Persians.[1]

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[1] Pseudo al-Jahiz, *al-Mahasin wa-l-Addad* (Beirut: Dar al-ʿIrfan, no date), 299.

The preceding passage indicates that slave women were not the property of a privileged few but were gradually integrated in the different urban strata of the Islamic polity from among the common people all the way to the religious and political elite. The passage praises the advantages of acquiring slave women as concubines as opposed to taking free women as wives. It also alludes to the concerns that were triggered by the growing practice of taking slave women as sexual partners. The variety of terms used to refer to slave women reveals the different positions that the latter could occupy. The term *surrīyya* (pl. *sarārī*) refers to a concubine whose main role is to provide her master with sexual pleasure. An *umm walad* (pl. *ummahāt awlād*) is a concubine who has granted her master a child. *Ama* (pl. *imā'*) and *jāriya* (pl. *jawārī*) are 'generic' terms used to refer to all slave women and not only to concubines. This brief but dense passage thus testifies to the emergence of female slavery as a main social force in the urban centers of the Abbasid lands, and more particularly in the capital city, Baghdad.[2]

The institution of female slavery turned slave women into sexually accessible commodities. However, unlike the ancient, medieval, and modern Western world where sexual access to slave women was a *de facto* situation outside the bounds of the law, Islamic civilization legalized concubinage with slave women. Sexual access to slave concubines was made licit through specific legal regulations and was theoretically free of any moral inhibition. The possibility that was thus granted for free men to engage in legal sexual relations with slave women outside the bonds of the 'classical' institution

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[2] Julia Bray, "Men, Women, and Slaves in Abbasid Society," in *Gender in the Early Medieval World, East and West, 300-900*, ed. Leslie Brubaker and Julia Smith (Cambridge: Cambridge University Press, 2004), 134.

of marriage (i.e. between a free man and a free woman) called for a definition of the cultural values and beliefs that governed sexual relations between free men and slave women. At stake was not only the demarcation of what constituted an ideal Muslim gendering of sexual roles but also the regulation of slave and free women's cultural roles.

A distinguishing characteristic of the early Abbasid period is the interaction between the historical and historiographical realms. It is in the course of the third/ninth and fourth/tenth centuries that the foundational texts of Islamic civilization crystallized, inscribing the emergence of identifiable Muslim cultural domains. Among these texts, three genres - legal, literary and historiographical - were gradually codified. The actors who produced these foundational discourses, namely the ʿālim, the faqīh, the adīb, and the mu'arrikh developed distinctive yet not mutually exclusive terminologies and categories to define slave women as licit sexual partners as well as to reflect upon and shape the ensuing transformations in the gendering of sexual roles among slave women, free women, and free men. Understanding the impact of legal concubinage with slave women on the gendering of sexual and cultural roles in the early Abbasid period necessitates an investigation of the conceptual framework shaping the sexual and cultural roles of slave women in Abbasid foundational texts. It, moreover, requires an appreciation of the differences, similarities, and complementarities that were constructed between slave and free women.

This introduction is divided into four parts, the first of which discusses methodological issues pertaining to the study of the Islamic institution of female slavery. The second presents an overview of the contemporary approaches to the study

of slavery and more specifically female slavery in ancient and medieval Western civilization as well as in the New World with the goal of establishing a comparative framework for the history of female slavery in the early Abbasid period. The third part offers an overview of the literature on Islamic slavery and outlines the main scholarly issues pertaining to the institution of female slavery in the formative period of Islamic history. The fourth part concludes by stating the main objectives of the thesis and providing a summary of the chapters.

A. Methodology

This thesis adopts a comparative textual approach for the study of slave women during the early Abbasid period. It focuses on how and why different genres, literary, legal, and historiographical developed distinctive slavery-related terminologies, categories, and discourses to define the various roles ascribed to slave women. It is mindful of the role of narratives in the construction of discourse and of gender as a pertinent category of historical explanation.

The very nature of the Islamic discursive production makes a comparative textual approach in writing a history of slave women during the early Abbasid period especially pertinent. Julia Bray argues that contemporary historiography on women within the classical Islamic period has been particularly reliant on one category of sources, namely, religious texts, and this at the expense of other sources. She adds that different types of Abbasid discourse - historical, legal, or literary- are often treated as unconnected and lacking a common frame of reference despite the fact that they are frequently the products of the same milieu, family or even author. "As a result,

neighboring discourses may be ignored in the interpretation of a source belonging to a given genre, and too much credence given to the perspective of a single genre."[3] In the same vein, Nikkie Keddie, Irene Schneider and Nadia Maria El-Cheikh note that in writing the history of women and more specifically of slave women, the general tendency has been an over reliance on *'ilm* at the expense of *adab*. They point out that the inconvenience of relying on a single genre is exacerbated by the mainly prescriptive rather than descriptive nature of the representations provided by scripture and the religious sciences. They argue, instead, for the necessity of exploring profane literature such as works of *adab*, biographical dictionaries and chronicles as well as the study of religious sources in writing the history of women in general and slave women in particular.[4]

Post-structuralist feminists have argued that historical subjects are not simply constituted by unmediated "real life experiences, but rather by particular discourses of gender, class, and race that give certain meaning to those experiences."[5] The post-structuralist approach to oral and textual narratives describes them not only as representational forms but also as epistemological social discourses and consequently as pertinent fields of inquiry for reconstructing a certain understanding of a society's

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[3] Bray, "Men, Women and Slaves in Abbasid Society," 129.

[4] Nikkie Keddie, "Problems in the Study of Middle Eastern Women," *International Journal of Middle Eastern Studies* 10 (1979): 225-240; Nadia Maria El-Cheikh, "Women's History: a Study of al-Tanukhi," in *Writing the Feminine, Women in Arab Sources*, ed. Manuela Marin and Randi Deguilhem (London: I.B. Tauris, 2002), 129-148; Irene Schneider, "Freedom and Slavery in Early Islamic Time (1st/7th and 2nd/8th Centuries," *al-Qantara*, 28 (2007): 353-382.

[5] Sue Morgan, "Writing Feminist History: Theoretical Debates and Critical Practices," *The Feminist History Reader*, ed. Sue Morgan (London: Routledge, 2006), 14.

distinctive systems of beliefs and values as well as of its social forms of association.[6]

Narratives have thus been granted a fundamental role in constructing discourses of

cultural authority and legitimacy as well as in forming communal and individual

identities.[7] Rather than "recovering the historical experiences of women and men as

evidence of sexual difference," post-structuralist feminists focused instead on how that

difference was produced discursively as a normative system of knowledge and meaning

and how identities of gender were disseminated variously through time. To the critique

that post-structuralism seems thus to devalue the actual experiences of women, Sue

Morgan retorts that "the post-structuralist stance does not entail that women have no

existence outside language, […] but that existence has no 'determinable meanings'

outside language, a very different emphasis."[8] This approach to the role of language

does not espouse the annihilation of individual agency but holds that this agency can be

investigated by its influence on the ordering of texts.

Historians have analyzed the structures of narratives showing how meaning can

be derived as much from form as from substance. Drawing on the works of Paul

Ricoeur, Roland Barthes and Hayden White which discuss the boundaries of history and

the nature of narratives, Robert Hoyland states that "attention is now being paid to the

manner of transmission of an account as well as its facticity, to how an account has been

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[6] Margaret Somers, "The Narrative Construction of Identity: A Relational and Network Approach," *Theory and Society* 23 (1994): 605-649. Somers's own input to the study of narratives emanates from her effort to 'historicize' the process of identity construction and avoid the pitfalls of an essentialist and a-historical conception of identity. She proposes that the study of identity formation should take into consideration the parameters of space, time and context.

[7] Jerome Brunner, "The Narrative Construction of Reality," *Critical Inquiry* 18 (1991): 1-21. Brunner argues that we come to be who we are (however, ephemeral, multiple or changing) by being located or locating ourselves (usually unconsciously) in different types of social narratives.

[8] Morgan, "Writing Feminist History," 17.

put together as much as to what it says."[9] He suggests that medieval Arab/Islamic

discursive production lends itself particularly well to this methodological approach

since the major protagonists of the Arab Islamic textual production namely the *'ālim*,

the *faqīh*, the *adīb*, and the *akhbārī* used the same 'raw material', the *khabar*, to

construct very different genres such as hadith, legal treatises, *adab*, and biographical

dictionaries.[10] The respective choice, ordering, and appropriation of *akhbār* by the

different genres in constructing their respective discourses on female slavery is

reflective of their particular concerns and perceptions, in this case, of slave women.

Michel Foucault proposes that a historical period is in part defined by a

specific ontology of discourse referred to as an episteme. The latter provides or

constitutes an implicit or subterranean mental framework underlying the discourses

developed by the various fields of knowledge whether in the humanities, the social

sciences or the hard sciences within a certain historical period. Foucault suggests that

this episteme is indicative of the cultural ethos of a particular historical period and more

specifically of the relation linking knowledge to the exercise of power.[11] Foucault's

proposition supports a comparative approach which aims at defining a distinctive early

Abbasid cultural ethos underlying legal, social, and historical authoritative discourses

engaged in delineating slave women's sexual and cultural roles.

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[9] Robert Hoyland, "History, Fiction and Authorship in the First Centuries of Islam," in *Writing and Representations in Medieval Islam, Muslim Horizons*, ed. Julia Bray (London: Routledge, 2006), 19.

[10] Ibid., 20.

[11] Michel Foucault, *The Order of Things, An Archeology of the Human Sciences* (New York: Vintage Books, 1973), 367-373.

Feminist scholarship has argued for the structural character of gender in the differentiation of sexual and cultural roles, shifting the focus from a history of subjects to a history of relations. Julia Smith has emphasized "the ubiquity of gender in the ordering of social existence" throughout the early medieval world.[12] Joan Scott has convincingly argued that gender is a constructive category for historical explanation stating that gender serves two important functions: 1) it is a primary way of signifying relations of power namely of male domination over women; 2) it is a constitutive element of social relationships between men and women based on the culturally constructed differentiation of roles and positions between the sexes.[13] Gender is thus particularly pertinent for the investigation of male authored discourses engaged in the definition of slave women's sexual and cultural roles. Slave women held a legal status different from that of the free majority and occupied a position of double subservience by being both slaves and women.[14] Regulating slave women's sexual and cultural roles entailed the exercise of a certain type of power to define a subservient difference.

Scott further argues that normative concepts and cultural symbols are means through which the gendered identities of men and women are constructed. She states that the normative gendered roles that we find in official texts are representative of mainstream culture and form one of the means used in the construction of gender differentiation and cultural ideals. These normative concepts take part in organizing and

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[12] Julia M.H. Smith, "Introduction: Gendering in the Early medieval World," in *Gender in the Early Medieval World, East and West, 300-900*, ed. Leslie Brubaker and Julia Smith (Cambridge: Cambridge University Press, 2004), 1-22.

[13] Joan Scott, "Gender: A Useful Category of Analysis," in *Gender and the Politics of History* (New York: Columbia University Press, 1988), 28-50.

[14] Gerda Lerner, *The Creation of Patriarchy* (New York and Oxford: Oxford University Press, 1986), 100.

structuring the social and cultural institutions which regulate a certain polity. Certain individuals are also displayed as cultural symbols that either embody the norms or contest it. For example, 'Arib a famous slave songstress and poetess is often presented as a prototype of the successful *qayna*.[15]

Finally, scholars have argued that individual men and women also take part in the construction of their gendered selves, in the ways they choose to relate to societal norms. The absence of direct female authorship forms an important obstacle and a methodological challenge for the study of the voices of early Abbasid slave women. We know of women's and more specifically of slave women's expertise in various fields, mainly poetry, and music through male-authored texts. This is particularly true of *adab* sources which grant slave poetesses a voice by immortalizing their poetry.[16] Postcolonial feminist theories have explored means to "rehabilitate the voice of the subaltern female" by shifting the focus away from the binary opposition of slave/master or colonized/colonizer to "reciprocal shaping influences."[17] Moreover, gender theory has favored the apprehension of the use of feminine textual voices as literary tools through which men construct their conception of political, social, and epistemic authority and identity. It thus encourages the apprehension of male-authored discourses

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[15] Matthew Gordon, "The Place of Competition: The Careers of 'Arib al-Ma'muniya and 'Ulayya bint al-Mahdi, Sisters in Song," in *'Abbasid Studies: Occasional Papers of the School of 'Abbasid Studies in Cambridge 6-10 July 2002,* ed. James E. Montgomery (Leuven: Peeters Publishers, 2004), 61-81.

[16] Abu l-Faraj al-Isfahani, *al-Ima' al-Shawa'ir*, ed. Nuri Hammudi al-Qaysi (Beirut: Maktabat al-Nahda al-'Arabiya, 1984).

[17] Morgan, "Writing Feminist History," 17, 32.

on slave women as, in part, literary devices in the construction of a new Abbasid masculine identity.

Black and third world feminist historians have argued that gender formation does not only revolve around gender relations opposing men to women but is also based on categories such as race and class.[18] They have thus pointed out that differentiating between women belonging to different races or classes, and not only between men and women, is also a means to signify relations of power. They illustrate their argument by stating that "the liberation of one group of women is so often achieved upon the domestic labors of their black working counterparts."[19] By doing so, they have added to the primary role of gender as a factor of difference between men and women that of regulating differences between women holding different statuses. The definition of the various roles and positions of slave women may thus be interpreted as a factor of differentiation between the statuses of slave and free women.

B.   Approaches to the Study of Western Slavery

Attitudes which describe slavery as a 'peculiar' and 'embarrassing' institution date back to the abolitionist European movement which emerged in the second half of the eighteenth century. Thomas Wiedemann states that the most fundamental almost 'existential' problem that the abolitionist stance created for western civilization was that of coming to terms with ancient Greek and Roman slavery. The Renaissance had placed

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[18] Ibid., 29.

[19] Ibid.

Greek and Roman thought in literature, philosophy, and law at the root of modern European culture. Historians felt compelled to advance explanations that would either justify or condemn the practice, turning western discourse about slavery in the course of the nineteenth century into primarily a discourse about the self.[20]

The theoretical approaches proposed by western scholars to study the institution of slavery within western civilization are perhaps more than any other subject affected as much by ideological stances as by developments in historiography. Two main approaches have largely shaped the study of western slavery in the course of the twentieth and twenty first centuries: 1) the Marxist approach; and 2) the cultural approach. The former apprehends slavery as primarily an economic institution and slaves as 'providers of labor.' The cultural approach perceives slavery as a social institution where slaves act as 'providers of services' as well as historical and symbolic agents in delineating relations of power, authority and legitimacy.

These divergent approaches have been influenced in part by two different historical practices of slavery: one that exploits economically and financially the 'fruits' of the slaves' labor and one that benefits from the 'services' offered by the slaves. In the former system, the 'fruit' of the slave's labor is extrinsic to the slave's person; the productivity of the slave requires very basic training and skills. In the latter, the quality of the 'services' rendered is intrinsic to the slave as a social being and necessitates a more developed education and training. In this system, social skills as well as the body of the slave especially the female slave become an inherent component of the 'services' imposed by servility. These different historical practices of slavery, which are not

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[20] Thomas Wiedemann, *Slavery* (Oxford: Clarendon Press, 1987), 2.

mutually exclusive, have in turn led to different understandings of slave roles, of what constitutes a slave holding society, of the exercise of power and authority, and of the relations between the enslaved and the free.

In the course of the nineteenth century, the impetus for the study of slavery came in part from Karl Marx who studied slavery as it was practiced in the Americas much more than ancient slavery. The contribution of Marxist historians to the study of slavery emanates from the basic premise of Marxist historical materialism which proposes a neo-Hegelian model to the effect that historical change is prompted by a succession of class struggles opposing those who own and control the production of wealth to those who provide labor. The dialectical resolution of each conflict leads to a more efficient economic system bringing in turn new conflicts between new classes. Consequently, some Marxists developed a linear and teleological interpretation of human history where slave-holding formed the second stage in an all-encompassing five stage process.[21]

Marxists have thus tended to perceive slaves as a homogeneous class of producers, the fruit of their labor being exploited by their owners whose primary goal is to amass capital. For Marxists, class division is determined by the division of labor. Gender differentiation is mostly ignored. In other words, the Marxist approach describes slavery as primarily a means of production and the slaves as a homogeneous class of unfree producers. The Marxist economic definition of slavery had a great impact on defining what constitutes a slave-holding society; on locating the decline of Roman slavery in the Late Roman period; and on conceiving its decline as a gradual

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[21] Wiedemann, *Slavery*, 4.

transformation into serfdom triggering the rise of the feudal system and the setting in of the Middle Ages.[22] Marxists stated that for a society to be described as slave holding it had to harbor a large number of slaves working as producers in plantations or mines. In other words, slavery has to play a fundamental role in the economic structure of that society. Marxist analysis of slavery excludes 'domestic' slavery or all the roles and positions held by slaves as 'servants' or 'providers of services' on the grounds that they lay outside any economic discourse. It thus ignores or overlooks the political, social and cultural impact of slavery as a 'social institution' in the ancient and medieval Mediterranean.[23] The Marxist perspective holds that a society where slaves are mostly providers of services whether in private houses, state offices or imperial palaces does not qualify as a slave holding society. Historians who continue to assert the decline of slavery in the Late Roman period and its disappearance in medieval Europe base their conclusions on the fact that slaves were no longer a decisive force of economic production. Ramsey MacMullen for instance states that despite the fact that slaves did hold positions outside agricultural labor, the Late Roman world cannot be said to have been a slave owning society.[24] In describing the role of slaves in the Byzantine Empire, Panayiotis Yannopoulos states that they held only "decorative" and "parasitical" roles

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[22] Ibid. Wiedemann states that under Stalin, the main political duty of ancient historians was to demonstrate that slavery lay at the root of every phenomenon of ancient material and cultural life and to explain how the theory of revolutionary change from an economic system based on the exploitation of slaves to one based on serfdom could be applied to Late Antiquity.

[23] Kyle Harper, *Slavery in the Late Roman World* (Cambridge: Cambridge University Press, 2011), 8.

[24] Ramsey MacMullen, *Changes in the Roman Empire: Essays in the Ordinary* (Princeton: Princeton University Press, 1990), 244.

and concludes that "Byzantine slaves lived in a society to which they did not belong as active members."[25]

The Marxist definition of slavery as a means of production led to a definition of freedom expressed again mainly in economic terms. Marx equates ownership of the means of production with freedom and slavery with unfree labor or the lack of control over one's productive labor. Freedom from that point of view is being in possession of one's productivity.[26] Rotman notes that the Marxist model fits to a large extent slavery as it was practiced in the New World, where the economic, social and civil statuses of the slaves were almost perfectly co-extensive as well as distinct from the statuses held by the free members of the society in which they lived.[27] He notes that this was not the case in the ancient and medieval Mediterranean where a great deal of productive work was at all times done by people who were free citizens. Wiedemann notes that in addition to the labor of free citizens, ancient societies had groups of dependent workers whose contribution to agricultural production was much greater than that of slaves.[28]

The general consensus among non-Marxists historians is that the Marxist approach may be pertinent for the study of slavery in the Americas but quite misleading for the study of ancient and medieval slavery. Rotman states that the exclusion of Byzantium from the study of western slavery is in part linked to the Marxist definition

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[25] Panayotis Yannopoulos, *La société profane dans l'Empire byzantin des VIIe, VIIIe et IXe siècles*, (Louvain: Université de Louvain, 1975), 278, 305.

[26] Youval Rotman, *Byzantine Slavery and the Mediterranean World*, trans. Jane Mary Todd (Cambridge: Harvard University Press, 2009), 8.

[27] Ibid.

[28] Wiedemann, *Slavery*, 2.

of what constitutes a slave holding society. One may also suggest that the Marxist definition of slavery consolidated the traditional periodization of western history.

The cultural approach studies slavery as both an economic and a social institution. We can distinguish two main trends, one that follows a structuralist cross cultural comparative approach by investigating slave systems in different regions and at different times as was done by Orlando Patterson and one that focuses on the study of specific slave systems such as Moses Finley's approach to the study of ancient Greek slavery, Kyle Harper's study of Roman slavery and Youval Rotman's study of Byzantine slavery.[29] While Patterson's seminal study evokes a number of pertinent conceptual categories for the study of slavery, notably, marginalization and natal alienation or absence of local familial ties, it led to conclusions such as the equation of slavery with 'social death' that were in contradiction with slavery as it was practiced in the ancient and medieval Mediterranean world, especially in the Greco-Roman world and the Islamic world, where slavery often appears as a means for social mobility. Nevertheless, historians investigating particular manifestations of the institution of slavery have successfully appropriated the categories put forth by the structuralist approach.

Marginalization has been exploited as a pertinent category of historical explanation in the investigation of slavery. Wiedemann states that it was the slaves' marginality, resulting in part from their natal alienation, which granted them access to unexpected places, namely centers of private and public power. The very presence of

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[29] Orlando Patterson, *Slavery and Social Death: a Comparative Study* (Cambridge: Harvard University Press, 1982); Moses Finley, *Ancient Slavery and Modern Ideology* (New York: Viking Press, 1980); Rotman, *Byzantine Slavery*; Harper, *Slavery in the Late Roman World*.

slaves as civil servants in ancient Greece was due to their marginality despite the close association of public function with the status of free citizens. Wiedemann explains that to avoid the exposure of free citizens to corruption certain functions were attributed to slaves. As for domestic or household slaves, their status granted them access to the household of the rich and potentially powerful master, and more importantly to the more elusive space of their master's gratitude and appreciation. Household slaves had a better chance of being manumitted than agricultural laborers because of their personal ties with their master.

Race and gender have been apprehended as categories that intensified the slave's marginality. Trevor Bernard and Gad Heuman point to the importance of racism and gender in the shaping of American slavery. They state that the close association of race and slavery in the West starts with the Atlantic slave trade.[30] Theories of biological racism, developed in the course of the nineteenth century, described Africans as biologically suited for enslavement. Jennifer Morgan notes that the black women were depicted as "naturally monstrous and unfeminine and somewhat ideally suited for labor." She asserts that the representation of gender was a crucial factor in determining not only enslavement but also how slaves worked. White women were perceived as unsuitable for agricultural labor, while black women were primarily perceived as workers. If their image as workers was detrimental to the valorization of their motherhood, black women, like the vast majority of slave women, were subjected to sexual exploitation.[31] John Garrigus notes that black women were able at times to turn

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[30] Gad Heuman and Trevor Burnard eds., "Introduction," in *The Routledge History of Slavery* (London: Routledge, 2011), 1-15.

[31] Jennifer Morgan, "Gender and Family Life," in *The Routledge History of Slavery*, 138-152.

the situation to their benefit since "it was no accident that the majority of slaves who were manumitted tended to be female companions of male slave owners."[32]

The growth of scholarship on slave systems and their influence on the societies that made use of them was paralleled by the development of a sub-field of inquiry, namely the study of female slavery. Gerda Lerner claims that "the archetypal slave […] was a woman."[33] Both women and slaves belong to social categories that entail various degrees of dependency, marginality, and domination. Because of their sexuality, and their reproductive abilities, slave women were particularly instrumental in organizing the urban patriarchal household. They were used to enhance the authority of the master, define sexual ethics including the notion of honor as well as the institution of marriage.

Kyle Harper shows how the treatment of slave women in third century Antioch becomes one of John Chrysostom's most frequent arguments in sermons aiming at defining and inculcating to his congregation the ideal Christian behavior. The articulation of a Christian ethic was undertaken on the Episcopal level through the various ecumenical councils and on a more 'popular' level through the sermons delivered in churches with the specific goal of defining proper Christian behavior. Harper suggests that the very restrictive attitude towards sex, characteristic of Christian behavior, and the insistence on monogamy has to be understood in part as a reaction against the sexual treatment of slave women in fourth century Rome when Christian thought crystallized.[34] A more recent approach has been to evaluate the roles of slave

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[32] John Garrigus, "Free Coloureds," in *The Routledge History of Slavery*, 234-247.

[33] Lerner, *The Creation of Patriarchy*, 76-100.

[34] Harper, *Slavery in the Late Roman World*, 205-214.

women in the lives of free women. Feminist scholars have grappled with how servile status can be oppressive to some women and 'liberating' to others among the slave and the free.[35]

Research into the representation of power and authority in the pre-modern world suggests that the marginal status of slaves and their powerlessness turned them into symbolic as well as literary subjects for the representation of power and authority. Dean A. Miller suggests that slavery was represented according to "particular perceptual patterns and models which appeared to […] legitimize the reduction of human beings to less than human status."[36] In a similar vein, Rotman proposes to apprehend slavery as the most extreme way in which one social group could enhance, exercise or increase its political, economic, social or cultural power and authority. He suggests defining slaves not in terms of how they are acquired or how their labor is put to use but rather by inquiring into their civil status. He adds that to understand the social and cultural significance of slaves, they should be apprehended as holding three distinct statuses: economic, civil and social. He presents the definition of each status as follows: 1) the economic status is equivalent to the Marxist perception of the slave as mainly a producer of wealth; 2) the civil status refers to the legal definition of slaves as a distinct entity before the law; 3) the social status is determined by social norms which grant slaves, in addition to their legal status, various social roles. He suggests that

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[35] Morgan, "Writing Feminist Histories," 26.

[36] Dean A. Miller, "Some Psycho-Social Perceptions of Slavery," *Journal of Social History* 18 (1985): 587.

understanding slavery as a social institution entails an inquiry into the factors that attribute to slaves their specific legal, social and economic statuses.[37]

Finally, scholars have suggested that an analysis of the factors leading to the marginality of slaves may contribute to a clearer understanding of the ties linking free individuals to slaves. Finley suggests that in Ancient Greece, where the free citizen stands at the center of public life, slavery does stand as the opposite of freedom, or more precisely 'citizenship'. He even claims that it is necessary for the definition and the existence of freedom. Rotman asserts that freedom does not in all civilizations stand for the antithesis of slavery and notes that what is marginal has to be defined in reference to what is central or to what is considered the norm.[38] He argues that to posit freedom as the antithesis of slavery is to refer to a concept of freedom which is anachronistic with regard to the medieval period. He notes that in societies where citizenship and the exercise of political rights were not considered essential and central to human beings, intellectuals emphasized different boundaries to full humanity. In autocratic regimes nobody is free since all members compared to the ruler are less free. Pointing out that slaves are slaves to their masters only, he argues that to approach slavery as a complete loss of freedom isolates the definition of slavery from other forms of servitude. He proposes to apprehend slavery, in medieval societies where free and unfree were all subjects of the ruler, as an extreme form of servitude as opposed to the total absence of freedom.[39]

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[37] Rotman, *Byzantine Slavery*, 7. Rotman explains that he chooses the term civil and not legal to emphasize the personhood of the slave since 'things' or animals may also be granted a legal status.

[38] Ibid., 20-24.

[39] Ibid.

C.   Approaches to the Study of Islamic Slavery

Islamic slavery did not trigger an abolitionist movement like the one that put an end to slavery in America and the European colonies. The abolition of slavery was mostly imposed by the European powers, namely the British, in the course of the nineteenth century during a period of European expansion into and domination over Muslim territories and was thus associated by Muslim scholars with an imperialist strategy.[40] As late as 2007, Malek Chebel published a monograph entitled *L'Esclavage en Terre d'Islam* with the following subtitle: *Un tabou bien guardé* where he prompts Muslim countries to take a more explicit position against slavery.[41]

A number of Muslim historians have attempted to explain the reticence to explicitly condemn slavery, by suggesting that Islamic law allowed for processes of legal emancipation through a *mukātaba* (a contract which grants a slave freedom in return for a sum of money) or *tadbīr* contract (a contract which grants a slave freedom following the death of his/her master) as well as through legal concubinage which granted the slave woman who bore her master a child the status of *umm walad* and the children born from the union of a slave women and a free man the status of freedom.[42] Ehud Toledano attributes the absence of a clearly critical Muslim discourse on slavery

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[40] William Gervase Clarence-Smith, *Islam and the Abolition of Slavery* (London: Hurst and Co., 2006), 21. Clarence Smith nuances this notion and traces abolitionist currents within the classical and modern periods of Islamic history in what he describes as the 'fractured' response of Islam to abolition. The Arab/Muslim countries were among the last to officially abolish slavery, Mauritania in 1980, Saudi Arabia in 1962.

[41] Malek Chebel, *L'Escalavage en Terre d'Islam, un tabou bien gardé* (Paris: Fayard, 2007).

[42] Ehud R. Toledano, *As if Silent and Absent, Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press, 2007), 12.

in part to the fact that abolition was an external imposition.[43] Clarence Smith supports

this premise by stating that "intellectual paralysis springs from a contradictory desire to

condemn slavery and spare Islam."[44] Madeline Zilfi states that "the historical course of

the slavery discussion in and about the Middle East has been inseparable - and

sometimes indistinguishable – from the wider, defensive response to the Western

critique of the Ottomans, Islam, and Muslim societies in general."[45]

 Much of western historiography on Islamic slavery focuses on the slave trade

and the institution of military slavery. Trade routes, slave markets, as well as the

geographical and the ethnic origins of slaves are investigated.[46] Outstanding careers

among slave soldiers have drawn the attention of scholars such as Matthew Gordon,

Patricia Crone, and David Ayalon to a distinctive feature of Islamic slavery, namely

military slavery.[47] Their works cover the institution of military slavery during the

formative as well as the Mamluk periods of Islamic history. The institution of military

slavery is analyzed as resulting from the need of the ruling elite to rely on a foreign and

servile military power in order to fill the vacuum left by its inability to articulate

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[43] Ehud Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle: University of Washington Press, 1998), 15.

[44] Clarence-Smith, *Islam and the Abolition*, 1.

[45] Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire*, *the Design of Difference* (Cambridge: Cambridge University Press, 2010), 97.

[46] Terence Walz and Kenneth M. Cuno, ed, *Race and Slavery in the Middle East: Histories of Trans-Saharan Africans in Nineteenth-Century Egypt, Sudan, and the Ottoman Mediterranean* (Cairo: American University in Cairo Press, 2010); Jacques Heers, *Les négriers en terre d'islam* (Paris: Perrin, 2003).

[47] Matthew Gordon, *The Breaking of a Thousand Swords, a History of the Turkish Military at Samarra, A.H. 200-275/815-889, C.E.* (Albany: State University of New York Press, 2001); David Ayalon, *The Mamluk Military Society, Collected Studies* (London: Variorum Reprints, 1979); Daniel Pipes, *Slave Soldiers and Islam* (New Haven: Yale University Press, 1981); Patricia Crone, *Slaves on Horses, the Evolution of the Islamic Polity* (Cambridge: Cambridge University Press, 1980).

popular principles of legitimacy for political authority and thus secure a stable and long lasting regime. Military slavery was to become a main institution of Muslim public life.

A few historians have focused on the subject of race and freedom. Bernard Lewis revisits the notion that the Islamic practice of slavery was free of racial overtones.[48] Franz Rosenthal engages in the analysis of the concept of freedom in Islamic civilization.[49] Rosenthal's approach in a sense supports Rotman's statements that in the ancient and medieval world 'freedom' and 'slavery' carry different values and beliefs than modern ones and should not be approached as dichotomous concepts. It is to be noted that while extensive scholarship exists on the role of slavery in shaping the values, beliefs and social relations in ancient, medieval and western societies, the investigation of the impact of slavery on the social make up of medieval Muslim societies is a field of study in the making. Yet in the words of Zilfi, slavery "was not a freestanding institution lacking moral and material attachment to the rest of society. It was culturally and institutionally integral to both state and society."[50]

D.   Approaches to the Institution of Female Slavery in Islam

A number of scholars, mostly women, have argued that the history of free women in classical Islamic civilization is in many ways related to that of slave women,

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[48] Bernard Lewis, *Race and Slavery in the Middle East, a Historical Inquiry* (New York: Oxford University Press, 1990).

[49] Franz Rosenthal, *The Muslim Concept of Freedom Prior to the Nineteenth Century* (Leiden: Brill, 1960).

[50] Zilfi, *Women and Slavery*, 100.

leading to a growing investigation of the roles and positions of slave women. Their

writings follow two main trends which have shaped the writing of women's history in

general and the history of slave women in particular. The first trend documents

oppressive patriarchal structures while the second investigates evidence of women's

agency and resistance.

The first trend ascribes to the widespread availability of female slaves a range

of detrimental consequences on the status of women as well as the emergence of a

double standard regarding the sexuality and cultural roles of slave and free women.

Focusing mainly on the caliphal household, Nabia Abbott was among the first scholars

to note the impact of slave women and the institution of concubinage on the mores of

early Abbasid society. She suggests that "the social and moral standards which came to

prevail [must be understood] in the light of certain institutions and the general weakness

of human nature which, with luxury and ease, tends on the whole to degeneration."

These institutions "were the trio polygamy, concubinage, and seclusion of women."[51] In

the same vein, Leila Ahmed contends that it is within the early Abbasid period that "the

words *woman*, *slave* and *object for sexual use* came close to being indistinguishably

fused." Ahmed's main argument is that this fusion of the three notions of 'object',

'slave' and 'woman' is one of the foundational elements of the Abbasid ethos in terms

of its objectification and degradation of the 'idea of woman.' She explains that the

distinguishing feature of this society which "rendered it profoundly and perhaps, at a

fundamental level, immeasurably different from either the society of early Islamic

Arabia or those of the contemporary, predominantly Christian Middle East" is that the

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[51] Nabia Abbott, *Two Queens of Baghdad*, *Mother and Wife of Harun al-Rashid* (Chicago: University of Chicago Press, 1946), 8.

interaction between the sexes among the urban elite was predicated on and chiefly

defined by the availability and easy acquisition of women as slaves and objects. With

the widespread availability of slave women as sexual commodities in the market place,

"everyone in the society knew how ordinary it was to buy and sell women for men's

sexual use." Ahmed carries on with strong statements such as "altogether, the

prevalence and ordinariness of the sale of women for sexual use must have eroded the

humanity from the idea of women for everyone in this society, at all class levels,

women as well as men."[52]

Scholars investigating the Islamic institution of female slavery have scrutinized

legal texts to analyze 'the impact' of slave women on the legal status of free women.

Focusing on the link between marriage and slavery in the construction of Islamic

matrimonial legal discourse, they argue that the institution of female slavery intensified

gender inequality and had detrimental consequences on the regulation of feminine

sexuality in classical Islamic discourse.[53] Fatima Mernissi and Mir Hosseini suggest that

legal discourse was further informed by assumptions about male and female sexuality

where the latter was perceived as a kind of property that may be bought and thus owned

as well as a danger to the social order which needed to be contained within two sets of

legal rulings, those concerned with marriage and divorce and those related to women's

bodies. Ali and Mir Hosseini note that jurists compared a dower to the purchase price of

a slave and divorce to manumission. Ali remarks that the vocabulary tied to slavery has

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[52] Leila Ahmed, *Women and Gender in Islam, Historical Roots of a Modern Debate* (New Haven: Yale University Press, 1992), 41-78.

[53] Ziba Mir-Hosseini, "The Construction of Gender," 8; Fatima Mernissi, *The Veil and the Male Elite, A Feminist Interpretation of Women's Rights in Islam*, trans. Mary Jo Lakeland (Reading MA: Addison Wesley, 1991): 49-61, 180-188.

been removed from the contemporary legal texts: "the once ubiquitous conceptual vocabulary of ownership (*milk*) applied to slavery is seldom used today to discuss marriage, and the previously common parallels between wives and slaves have largely disappeared from learned discourse." She argues, however, that despite its abolition, slavery remains "conceptually central to the legal regulations surrounding marriage" and states that the sexual ethics forged in a slaveholding society context remain influential today. She thus concludes that "core ideas about maleness, femaleness, sexuality and power that structured the early jurists' thinking survive in a myriad ways in today's discourse."[54]

The influence of the concubine in promoting a double standard regarding the sexuality and cultural roles of free and slave women is embodied in popular and scholarly representations of lascivious and self-fulfilled concubines and neglected free wives. 'Abdelwahab Bouhdiba provides corroborative arguments to this dichotomous representation of slave and free women. He moves from the caliphal household to the domestic one and again upholds concubinage as one of the main factors that shaped the emergence of a distinctive understanding of sexuality in Islamic civilization. He describes sexual relations with concubines as free of all restraints and argues that the concubine became an embodiment of the "anti-wife." He thus argues that the vindication of repressed free Arab women was achieved by slave concubines, suggesting that the superior status of the wife was only a nominal one.[55] In the same

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[54] Kecia Ali, "Slavery and Sexual Ethics in Islam," in *Beyond Slavery: Overcoming its Religious and Sexual Legacies*, ed. Bernadette J. Brooten (New York: Palgrave Macmillan, 2010), 107-122.

[55] 'Abdelwahab Bouhdiba, *Sexuality in Islam*, trans. Alan Sheridan (London: Routledge and Kegan Paul, 1985), 106.

vein, Khalil ʿAthamina argues "that 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 a female slave could."[56] This line of

argument seems apologetic of slavery since it draws a rather positive description of the

status of concubines and a negative one of free women referred to mainly as wives. It

implicitly suggests that female slavery was more detrimental to free women than to

slave women since it granted the latter 'advantages' that the former were deprived of,

such as uninhibited sexuality, exemption from veiling, access to the street to run

errands, as well as receiving an artistic education to entertain men.

Julia Scott Meisami suggests that these representations and understandings of

Abbasid feminine roles result in part from a prejudiced approach to the medieval

Islamic past which is too often misleadingly conceived as responsible for the

contemporary restrictions imposed on women in the name of 'Islam.'[57] Emphasizing the

subservient status of women occludes the possibility to have a closer look at the means

devised by free and slave women to empower themselves by at times exploiting,

subverting and circumventing the very conditions which were meant to exclude or

marginalize them. Indeed, scholars have brought to light a number of medieval Islamic

women who, despite the constraints imposed upon them, were successful at yielding

political and cultural power and influence. Interestingly, a significant aspect in the lives

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[56] Khalil ʿAthamina, "How did Islam Contribute to Change the Legal Status of Women," *al-Qantara* 28 (2007): 384.

[57] Julie Scott Meisami, "Writing Medieval Women: Representations and Misrepresentations," in *Muslim Horizons: Writing and Representation in Medieval Islam,* ed. Julia Bray (New York: Routledge, 2006), 47-85.

of many of these women is their original servile status. Khayzuran, 'Arib, as well as

Umm al-Muqtadir, to name but a few successful Abbasid women in the fields of politics

and cultural production, were initially bought as slaves and were eventually

emancipated.

Scholars such as Leslie Peirce, Asma Afsaruddin and Nadia Maria El-Cheikh

show that despite the negative discourses held in the sources of the medieval period

with regards to feminine political praxis, women were able to exercise social and

political agency. They have contested the western dichotomy opposing a masculine

public sphere to a feminine private one as well as the ahistorical and timeless

representation of the harem as a place of indolence and indulgence in sexual pleasures.

Slave women in particular were ascribed roles and positions which bridged the

'private/public' divide. Peirce has shown how the women of the imperial Ottoman

Harem were able to exercise political influence despite their seclusion because of their

strategic closeness to the caliph and their ability to build networks of power beyond the

harem 'walls.' El-Cheikh has revisited the Abbasid harem of the fourth/tenth century

and explored the means by which Umm al-Muqtadir and other administrative members

were able to have a positive impact in the forbidding and unforgiving political milieu of

the Abbasid court.[58] Hilary Kilpatrick suggests that the poetry of slave poetesses

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[58] Leslie Peirce, *The Imperial Harem, Women and Sovereignty in the Ottoman Empire* (New York: Oxford University Press, 1993); Asma Afsardudin, "Introduction: The Hermeneutics of Gendered Space and discourse," in *Hermeneutics and Honor: Negotiating Female "Public" Space in Islamicate Societies*, ed. Asma Afsaruddin (Cambridge: Harvard University, Center for Middle Eastern Studies, 1999), 1-28; Nadia Maria El-Cheikh, "Revisiting the Abbasid Harems," *Journal of Middle East Women Studies* 1 (2005), 1-19; Nadia Maria El-Cheikh, "Gender and Politics in the Harem of al-Muqtadir," in *Gender in the Early Medieval World: East and West, 300-900*, ed. Leslie Brubaker and Julia Smith (Cambridge: Cambridge University Press, 2004), 147-161.

emphasizes their wit, intelligence, high level of education and at times dissatisfaction with their legal status as slaves.[59]

A cursory comparative overview of the Mediterranean practice of slavery in its ancient, medieval and Islamic components shows a number of formal similarities, namely the predominance of slaves as 'servants' and their presence in private as well as in public spaces holding domestic as well as official positions and roles. The Christianization of slavery in the Late Roman period as one of the means to construct a Christian identity and to consolidate the Church's authority and legitimacy may be compared to the Islamization of slavery by the Muslim jurists in their efforts to construct an ideal Muslim type of the early Abbasid period. However, a number of differences emerge as well, especially in the legal regulation of female slavery. Islamic law not only granted slave women the right to marry, a right they were denied in the Ancient and medieval west, it also legalized the institution of concubinage with slave women and granted them *de jure* means to gain their freedom either through the status of *umm walad* or by negotiating emancipation contracts with their masters.

E. Objectives of the Thesis and Description of Chapters

Scholarship engaged in writing the history of women in the classical Islamic period has brought into focus the cultural significance of the foundational Abbasid narratives in constructing what is often referred to as the status of women in Islam. Scholars have argued that the attitudes developed in classical Islamic civilization

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[59] Hilary Kilpatrick, "Women as Poets and Chattels. Abu l-Faraj al-Isfahani *al-Ima' al-Shawa'ir*," *Quaderni di Studi Arabi* 9 (1991): 170-174

towards women reveal the need to establish a division of labor or a redistribution of feminine sexual, social and cultural roles among slave and free women. A common narrative about slave women, sexuality and gender in early Abbasid times suggests that legal access to slave women favored a double standard in sexual ethics and feminine cultural roles that was beneficial to slave women and detrimental to free women. It claims that the threat posed by slave women contributed to the spatial and sexual segregation imposed on free women, greatly reducing the margin of freedom and autonomy that they held in pre-Islamic and early Islamic times. Slave women were detrimental not only to the freedom of movement of free women but also to their access to an education and performance in profane fields of cultural production such as poetry and song. The education of free women was neglected or limited to the religious sciences, namely the learning of hadith, while slave women were granted a thorough education in poetry and song and at times in the religious sciences as well. Scholars point out, for example, that prominent free women such 'A'isha bt. Talha, a famous Arab woman and daughter of one of the Prophet's companions Talha b. 'Ubaydallah (d.36/656) or Sukayna bt. al-Husayn (d.117/736), the granddaughter of the caliph 'Ali b. Abi Talib (d. 40/661) benefitted from a margin of social and cultural agency in the early Umayyad period that free women subsequently lost under the Abbasid. In other words, 'slave' women allegedly gained a degree of 'freedom' much greater than that of 'free' women. This trend of scholarship uses the concepts of 'freedom' and 'slavery' in a rather anachronistic manner, one that tends to retroject their modern meanings to the Abbasid period. It also conflates one specific category of slave women, namely the

qiyān or singing girls, to encompass all other slave women who in reality held very different roles and positions.

This perspective is epitomized by Bouhdiba who states that

> The legitimate wife appears to benefit from a superior status. This is only an appearance, however. For in the end the concubine becomes a veritable 'anti-wife', by usurping femininity and taking it over to herself. One is jealous of one's wife but not of one's concubine. The first one must be serious, but the second must be ludic. The enclosing of women, the relative ignorance in which they were kept, almost never applied to the concubine. As a result there is a double status of women in Islam, depending on whether she is oriented towards matrimony (*nikāḥ*) or concubinage. This distinction, we should point out is not quranic. It derives from the economic, social, political and cultural conditions of life. […]The system of anti-wives organized on a large scale had an undeniable influence on the morals of classical Arab society especially among the aristocrats and in the courts of the caliph and other notables. Not all of them were of the quality of 'the girl with the beauty spot' […] but all strove to rival them and dreamed of one day having to submit like them to a lengthy examination before a jury. […] hence that disaffection so frequent among Arabs for their own wives and their endless quest for something beyond the wife.[60]

This view does not limit the impact of the interaction between slave and free women to the classical period but extends it to the contemporary period by claiming that it explains the current matrimonial alienation from which Arab men purportedly suffer.

This thesis argues that by the ninth/third century the urban phenomenon of female slavery had indeed reached a critical mass along with a strong social awareness

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[60] Bouhdiba, *Sexuality in Islam*, 106-109.

for its potential to favor indulgence in licentious sexual behavior. The main intellectual

Abbasid protagonists, the *faqīh*, the *'ālim*, the *adīb*, and the *akhbārī* or *mu'arrikh*

perceived themselves as the architects of an Islamic society in the making.[61] They

engaged in producing legal, literary, and historical discourses that aimed in part at

regulating the sexuality as well as the social and cultural positions of slave women in

order to set legal, social and ethical norms which traced the boundaries of Islamic

cultural propriety. The ordering and the choice of the anecdotes that they collected and

compiled; the specific aspects in the lives of slave women that they engaged in

inscribing; as well as the distinctive yet not mutually exclusive terminologies and

categories they adopted embody and reflect their respective ideologies and conceptual

frameworks.

The main objective of this thesis is to devise a framework of inquiry aimed at

revisiting the influence of concubinage on the status of free women and the dichotomy

opposing the alluring, pleasure loving and creative concubine to the austere, pious, and

conservative wife. Using gender as a category of analysis, it shifts the focus of inquiry

from the roles of slave women and their impact on the status of free women and

investigates the masculine conceptual framework underlying a selection of Abbasid

legal, literary, historical texts engaged in defining slave women's sexuality and cultural

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[61] Legal narratives put forth a moral and religious discourse which aims to Islamize or give an Islamic mold to all aspects of human life in order to insure salvation. Its proclaimed referents had to be inherently Islamic in nature namely the Qur'an and hadith. Historical discourse in the form of biographical dictionaries aimed primarily at writing a "history of salvation" by compiling the biographies of groups of individuals or *ṭabaqāt* who played a particular role in preserving and transmitting sacred and profane fields of knowledge which were perceived as structural constituents of an emerging Islamic identity. *Adab* narratives developed a sociological and anthropological discourse which strove to delineate ideal types putting forth the values, norms and behavior that insured membership into the elite and consequently the means to social mobility and success.

roles. The legal sources examined are the chapters dedicated to marriage (*nikāḥ*) in

Kitab al-Asl, *al-Jami' al-Saghir* and *al-Jami' al-Kabir* of al-Shaybani (d. 189/805) and

al-Mabsut of al-Sarakhsi (d. 500/1106). These four compilations are considered major

references in Ḥanafī jurisprudence.[62] The *adab* sources are *Risalat al-Qiyan* of al-Jahiz

(d.255/868), *al-'Iqd al-Farid* of Ibn 'Abd Rabbih, *al-Faraj ba'da al-Shidda* of al-

Tanukhi (d.384/994) and *Kitab al-Qiyan* and *al-Ima' al-Shawa'ir* of al-Isfahani

(d.356/969). [63] As for the historical sources, they correspond to the following

biographical dictionaries *al-Tabaqat al-Kubra* of Ibn Sa'd (d.230/845), *Tabaqat al-*

Shu'ara' of Ibn al-Mu'tazz (d.296/905) and *Tarikh Baghdad* of al-Khatib al-Baghdadi

(d.463/1071) as well as *Kitab al-Aghani* of al-Isfahani. [64] The choice of primary sources

is based mainly on their contemporaneity with the period under study and the interest

they grant to slave women.

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[62] Al-Shaybani, *Kitab al-Asl*, ed. Abu al-wafa' al-Afghani (Beirut: 'Alam al-Kutub, 1990); al-Shaybani, *al-Jami' al-Saghir* (Beirut: 'Alam al-Kutub, 1986); al-Shaybani, *al-Jami' al-Kabir* (Cairo: Matba'at al-Istiqama, 1356h); al-Sarakshi, *al-Mabsut* (Misr: Matba'at al-Sa'ada, 1324 h);W. Heffening and Joseph Schacht, s.v. "Hanafiyya," *Encyclopaedia of Islam*, Second Edition.

[63] A.F.L. Beeston, trans., *The Epistle of Singing-Girls of al-Jahiz* (Warminster: Aris & Phillips Ltd, 1980); Ibn 'Abd Rabbih, *al-'Iqd al-Farid*, ed. Ahmad Amin, Ibrahim al-Abyari, 'Abdel Salam Harun (Cairo: Matba'at Lajnat al-Ta'lif, 1949); al-Tanukhi, *al-Faraj ba'da al-Shidda*, ed. 'Abbud al-Shalji (Beirut: Dar Sader, 1978); Abu l-Faraj al-Isfahani, *al-Qiyan*, ed. Jalil al-'Attieh (London: Riad el-Rayess Books Ltd, 1989); Abu l-Faraj al-Isfahani, *al-Ima' al-Shawa'ir*, ed. Nuri Hammudi al-Qaysi et al (Beirut: Maktabat al-Nahda al-'Arrabiya, 1984).

[64] Ibn Sa'd, *al-Tabaqat al-Kubra.* ed. Muhammad 'Abdelkader 'Ata (Beirut*:* Dar al-Kutub al-'Ilmiya, 1968); Ibn al-Mu'tazz, *Tabaqat al-Shu'ara' al-Muhdathin*, ed. A.S.A. Farraj (Cairo: Dar al-Ma'arif*,* 1966); Al-Khatib al-Baghdadi, *Tarikh Baghdad, (*Beirut*:* Dar al-Kutub al-'Ilmiya*,* no date); Abu l-Faraj al-Isfahani, *Kitab al-Aghani*, (Beirut: Dar al-Kutub al-'Ilmiya, 1992).

The thesis is composed of five parts: the current introduction, three chapters and a conclusion. Each chapter engages in investigating narratives belonging to a specific genre, and all three follow the same organization. Each chapter begins with an overview of the secondary literature on the main characteristics of the genre it purports to investigate as well as its relevance for writing the history of slave women. This is followed by an analysis of a selection of narratives which seeks to: 1) identify the terminologies and categories adopted by each genre in its discourse on slave women; 2) identify and investigate the specific roles and positions of slave women that each genre chooses to inscribe; 3) analyze how the representation of slave women in each genre informs us about the ideological concerns underlying the conceptual framework of their respective authors, their appreciation of womanhood as well as their understandings of the ties linking slave women to free women.

The first chapter argues that the legal regularization of the sexuality of slave women during the Abbasid period was primarily based on preserving social hierarchy among the free and the slave; protecting the honor and dignity of free women, honor being perceived as a distinctive feature of freedom and thus an attribute that slave women lacked; and finally setting ethical limits to indulgence in sexual pleasures.

The second chapter contends that *adab* texts were concerned with delineating an ethical way of treating women regardless of their status. This ideal code of conduct favored caution, moderation and self-restraint towards sexual pleasures, resilience when facing adversity, loyalty to one's partner, as well as the tendency to endorse monogamy.

The third chapter shows that biographical entries of slave women depict them as repositories, producers and/or transmitters of sacred and profane fields of knowledge

and thus contributors to the perseveration and the transmission of competing understandings of what constitutes a proper Islamic cultural heritage.

The conclusion argues that while the specificities of each genre reflect the particular interests and ideologies of each of the three main intellectual protagonists of the Abbasid period, they all respond to an underlying Abbasid cultural ethos in terms of their attitudes towards pleasure, honor, and the exercise of power. This thesis thus contributes to a better appreciation of the conceptual framework regulating the sexual and cultural positions of slave women and of their roles as literary tools in shaping a Abbasid masculine sexual ethics. More generally, it shows how gender, slavery and cultural legitimacy interacted to shape the history of women both slave and free.

CHAPTER II

ISLAMIC LAW
AND SEXUAL ETHICS:
DEBUNKING THE ROLES AND POSITIONS
OF
SLAVE WOMEN

The following legal narratives occur in two different compilations of *fiqh* of the late eighth/second century by the Ḥanafī jurist Muhammad bin al-Hasan al-Shaybani (d. 189/805). The first passage defines proper behavior towards slave women in the market place: "We heard that the son of 'Umar passed by a slave woman (*jāriya*) for sale; he touched her breast and her arms and said: Buy her, and then kept on walking leaving her behind. This kind of behavior and similar ones from those who want or do not want to buy is permitted. But if a man fears that he might desire her if he touches her, then he should avoid it. […]"[1] The second passage sets the boundaries of acceptable behavior between a man and his wife's slave woman servant: "Don't you see that the slave woman (*ama*) of a man's wife serves him, rubs him, massages his legs and dyes his hair; these actions are acceptable as long as he does not desire her. If he believes that he does than he should avoid it."[2] A third passage discusses the differences in the practice of early withdrawal between a free wife and a concubine: "He said: The decision to practice early withdrawal is the prerogative of the master.[…] but in the case of the free woman, the practice of early withdrawal is conditioned upon her consent; for she

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[1] Al-Shaybani, *Kitab al-Asl*, ed. Abu l-Wafa' al-Afghani (Beirut: 'Alam al-Kutub, 1990), 48.

[2] Ibid., 49.

possesses the right to bear children and satisfy her sexual desires; […] As for the concubine (*ama mamlūka*) her consent is not a condition since she does not possess the right to bear children or satisfy her sexual needs."[3]

These legal narratives show slave women as commodities that can be bought or sold in the market place and as servants or concubines within a household. They demonstrate a jurist's concern for tracing the boundaries of what was considered public and private, licit and appropriate social and sexual behavior among free men and slave women. In the course of the third/ninth and fourth/tenth centuries, slave women gained an increasing social and cultural prominence at the caliphal court in Baghdad as well as in the households of the main cities of the Abbasid Empire. Jurists and scholars felt the need to regulate the rights and duties of slave women and more specifically their sexuality in accordance with an emerging set of Islamic values and norms. Irene Schneider points to a significant transformation in the legal discourse on slavery from the pre-literary period of the seventh/first and eighth/second centuries to the literary period starting in the late eighth/third century. Pre-literary period discussions on slaves focused mostly on the sale of children into slavery, debt-bondage and self-dedition, practices which were characteristic of the Byzantine institution of slavery.[4] The literary period, marks the appearance of the first compilations of legal discourse such as Malik b. Anas's (d. 178/795) *al-Muwatta'*, Muhammad b. al-Hasan al-Shaybani's (d. 189/805) *Kitab al-Asl* or Abu 'Abdallah Muhammad b. Idris al-Shafi'i' s (d. 204/820) *Kitab al-*

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[3] Al-Shaybani, *al-Jami' al-Saghir* (Beirut: 'Alam al-Kutub, 1986), 187.

[4] Irene Schneider, "Freedom and Slavery in Early Islamic Time (1st/7th and 2nd/8th Centuries)," *al-Qantara* 28 (2007): 354.

Umm. It is characterized by the islamization of the legal discourse, the marginalization of the previous issues, and the development of categories dealing with the emancipation of slaves as well as with the regulation of gender relations among women and men, slave and free. These transformations continue to underlie the development of the legal discourse on slavery from the third/ninth to the fifth/eleventh century. In the late second/eighth century, al-Shaybani's *al-Jami' al-Kabir* dedicates less than ten pages to the right of slaves to marry;[5] in the late fifth/eleventh century, Muhammad b. Ahmad al-Sarakhsi's (d. 500/1106) *al-Mabsut* devotes more than twenty pages to the same topic.[6] While the former discusses only inter-slave marriages, the latter discusses mixed marriages and more specifically the right of free men to marry slave women.

Islamic law conferred to the institution of female slavery its distinctive mark by legalizing concubinage with slave women as well as granting slaves the right to marry. In Western societies concubinage refers to an "informal but semi-permanent sexual relationship between a man and a woman that is by definition outside the established laws of marriage and inheritance; […] Islamic concubinage was a clearly defined legal institution […]. While not all female slaves were concubines, all concubines were by definition slaves."[7] Slave marriages as well as mixed marriages were also legalized by the classical Islamic jurists. By contrast, marriage was denied to slave men and women in Roman law, in medieval Europe, and later on in the New World. Concubinage and

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[5] Al-Shaybani, *al-Jami' al-Kabir* (Cairo: Matba'at al-Istiqama, 1356h), 85, 97, 103-105.

[6] Al-Sarakhsi, *al-Mabsut* (Cairo: Matba'at al-Sa'ada, 1324 h), vol.5, 108-120.

[7] Shaun Marmon, s.v. "Concubinage," *Dictionary of the Middle Ages* (New York: Scribner, 1983), vol.3, 527-529.

slave marriages as well as mixed marriages were discussed in *fiqh* works mostly but not

exclusively in subsections of the chapter on marriage (*nikāḥ*). The legalization of

concubinage and of slave and mixed marriages have mostly been interpreted as

emanating from the need to avoid illicit sexual relations (*zinā*), insure the birth of

legitimate children, and facilitate the determination of paternity.[8]

The legal discourse of the early Abbasid period is marked by the emergence of

a pietist movement among classical jurists referred to as *ahl al-hadith.* The ninth/third

century witnessed a particularly tense social atmosphere which pitted the pious

leadership and their supporters among the urban masses against the lavish lifestyle of

the ruling elite. The sulfurous reputation of the *qiyān* or singing girls and the great sums

of money for which they were bought turned them into the target of the rising pietist

movement. In the course of the following century, the Qur'anic injunction of

commanding right and forbidding wrong was used by religious leaders to legitimize the

arrest of *qiyān* in the streets of Baghdad.[9] By doing so they engaged themselves in

tracing the boundaries of Muslim cultural propriety. In a similar fashion, legal discourse

engaged in regulating the sexuality of slave women. The legal narratives of the classical

jurists not only reflected but also contributed to the emergence of a specific Abbasid

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[8] Noel Coulson, "Regulations of Sexual Behavior under Traditional Islamic Law," in *Society and the Sexes in Medieval Islam,* ed. 'Afaf Lutfi al-Sayyid-Marsot (Malibu: Undena Publications, 1979), 63-68. What the early jurists aimed for was to grant every Muslim child a legitimate lineage that would in turn insure him a certain amount of rights. In classical legal discourse, inheritance, financial support and custody, all that we would refer to today as civil rights, were conceived and thought of within the familial context. A person who did not belong to a family was deprived of most of these rights.

[9] Syafiq Mughni, "Hanbali Movements in Baghdad from Abu Muhammad al-Barbahari (d.329/941) to Abu Jafar al-Hashimi (d.470/1077)," (Ph.D. diss., UCLA, 1990), 249-252.

cultural ethos which demonstrates a rising concern for ethical Muslim sexual behavior and proper attitudes towards pleasure.

Feminist scholars of female slavery and Islamic law propose to read classical legal texts as discourses concerned with constructing 'ideal models' which reflect first and foremost the social and political interests, motivations, fears, and inclinations of the jurists of the formative period and, as importantly, the conceptual framework that structured their legal reasoning. Scholars further argue that the presence of slave women as licit sexual commodities through legal concubinage contributed to a general conception of women as sexually submitted beings with detrimental consequences on the legal status of free women in a society that was inherently hierarchical in nature. They point out that the formula of emancipation for a slave woman was *farjukī ḥurrun* or "your sexual organ is free." They note, moreover, that the use of analogy in legal reasoning encouraged jurists to compare the marriage contract which granted men licit access to a woman's sexuality in return for a sum of money, the dowry, to the commercial transaction through which a man bought a slave woman acquiring legal ownership of her sexuality.[10] The aforementioned scholarship does not focus on the specific conditions imposed on slave women but rather emphasizes the dialectical aspect of the relationship linking slave women to free women.

Problematizing the position of slave women in Islamic law in terms of *their* impact on the status of free women implicitly lends credence to a common portrayal of

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[10] Kecia Ali, "Slavery and Sexual Ethics in Islam," in *Beyond Slavery: Overcoming its Religious and Sexual Legacies*, ed. Bernadette J. Brooten (New York: Palgrave Macmillan, 2010), 107-122; Ziba Mir-Hosseini, "The Construction of Gender in Islamic Legal Thought and Strategies for Reform," *Hawwa* 1 (2003): 1-28; Leila Ahmed, *Women and Gender in Islam, Historical Roots of a Modern Debate* (New Haven: Yale University Press, 1992), 41-78.

slave women in the early Abbasid period as harboring an inherent inclination for licentious sexual behavior. It attributes to slave women a 'deliberate role' in the gradual restriction of the rights and liberties of free women. That some slave women succeeded at developing means to resist or subvert their servile status by exploiting their sexuality does not reflect an intrinsic proclivity for dissolute sexual conduct. Moreover, the margins of 'freedom' of Abbasid women, slave and free, tend to be apprehended in modern terms with no explicit reference to the meaning of freedom in the Abbasid period and the ways in which it relates to slavery.

Other scholars have engaged in investigating legal discourse for a better understanding of the roles and positions that were attributed to slave women and of the ensuing possibilities and limitations that were thus created.[11] They have analyzed a variety of legal texts and shown that concubinage followed a clearly delineated set of rules despite its popular and sometimes scholarly depictions as an uninhibited sexual relationship free of any legal, social or moral constraints. Building a clearer understanding of the ethical principles underlying the legal regulations of the sexuality of slave women is a necessary first step in evaluating *their* impact on the perception of womanhood and the status of free women. A more pertinent problematization of the interaction of female slavery, sexual ethics, and the legal regulation of feminine

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[11] Zilfi, *Women and Slavery in the Late Ottoman Empire*; Cristiana de la Puente, "Slaves in al-Andalus through Maliki Watha'iq Works (4th-6th Centuries H/10th-12th Centuries CE)*," Annales Islamologiques* 42 (2008): 187-212; Jonathan Brockopp, *Early Maliki Law: Ibn 'Abd al-Hakam and his Major Compendium of Jurisprudence* (Leiden: Brill, 2000); Mohammed Hocine Benkheira, "Un libre peut-il épouser une esclave? Esquisse d'histoire d'un débat, des origines à al-Shafi'i (m.204/820),**"** *Der Islam* 84 (2007): 246-355; François-Paul Blanc and Albert Lourde, "Les conditions juridiques de l'accès au statut de concubine-mère en droit musulman malékite,**"** *Revue de l'Occident musulman et de la Méditerranée* 36 (1983): 163-175.

sexuality necessitates an inquiry into the ethical and social parameters underlying the classical jurists' conceptual framework and consequently their legal discourse.

In addition to providing an overview of the role of Islamic law in regulating sexual ethics and describing the historical context in which Islamic classical legal discourse was constructed, this chapter argues that the legal regularization of the sexuality of slave women during the Abbasid period was primarily based on the following factors: 1) preserving the social hierarchy among the free and the slave; 2) protecting the honor and dignity of free women, honor being perceived as a distinctive feature of freedom and thus an attribute that slave women lacked; and finally, 3) setting ethical limits to indulgence in sexual pleasures. My argument, based on an investigation of the legal regularization of the sexuality and bodies of slave women in a representative selection of Abbasid Ḥanafī legal texts from the third/ ninth, fourth/tenth, and fifth/eleventh centuries, asks the following questions: Under which categories and through which vocabulary did legal discourse regulate the sexuality and the bodies of slave women? How did slavery, gender, and pleasure intervene in regulating the sexual rights (if any) and duties of slave women? How did the jurists differentiate between the sexuality of slave women and that of free women?

A.   Islamic Law and the Shaping of Sexual Ethics

A distinctive feature of Islamic law (shariʿa) is its strong influence in shaping the 'beliefs and manners' of Muslim men and women, past and present even if it does

not always carry the weight of positive law in governing their lives.[12] The term Islamic 'law' may be misleading. Unlike western codes of law, Islamic law includes in addition to inherently legal matters the delineation of religious and ethical principles as well as models for daily behavior on the most mundane actions such as brushing one's teeth to more complex and delicate issues such as engaging in proper sexual behavior with one's wife or one's slave woman. Noel Coulson notes that while sexuality between two consenting adults is not the concern of western systems of law (western legal codes define what is considered unacceptable sexual behavior and the sanctions entailed by each one), Islamic law which similarly defines unacceptable sexual behavior, engages furthermore in delineating and describing ideal sexual relations between a man and a woman as well as what is a "permissible and legal sexual relationship."[13] If many of its 'clauses' bear the weight of positive law, much of its content reflects what is perceived as an ethical system for an ideal Muslim way of life.

In a wide ideological array of contemporary discourses on Islam and modernity, Islamic law and its implementation are presented as the "*sine qua non* of a

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[12] Judith Tucker, *Women, Family, and Gender in Islamic law* (Cambridge: Cambridge University Press, 2008), 4-24; Mohammad Hashim Kamali, "Law and Society, the Interplay of Revelation and Reason in the shari'a," in *The Oxford History of Islam*, ed. John Esposito (Oxford: Oxford University Press, 2000), 107-155.

[13] Noel Coulson, "Regulations of Sexual Behavior" 63-68. In order to pinpoint the distinctive approach of the early Muslim jurists to the regulation of sexual behavior, Coulson compares and contrasts its underlying principles to those of modern western legislation. He states that within most modern Western legal systems, sexuality practiced within the private realm between consenting and mature adults lies beyond the prerogatives of the law. The law intervenes in cases of pedophilia (involvement of a minor), rape (absence of consent), or obscene or indecent public behavior. Adultery "attracts no criminal sanction and a civil one only insofar as [it] may constitute a matrimonial offense giving the injured spouse grounds for the dissolution of marriage." The concern of Islamic law for sexual behavior is based upon an entirely different approach. For the Jurists of the formative Islamic period, only sexual relations defined by the law as licit are legal; otherwise they constitute a *criminal* offense. Coulson explains that this severe position towards 'illegal sex' does not stem from a particular understanding of sexuality itself as much as from a determined will to avoid the birth of illegitimate children.

truly Islamic society and used as a barometer of religious authenticity."[14] This is particularly the case in matters regarding the legal status of women and the delineation of their various social roles and more specifically their sexuality which are treated in Islamic law under the category of family law.[15] ʿAbdelwahab Bouhdiba argues that a fundamental characteristic of the Arab/Muslim personality is a continual effort to conform to a model set in the past. This ideal model was inscribed in the fundamental texts of Islamic civilization which were produced during the formative period of Islamic history and took on their final form mostly by the end of the early Abbasid period towards the end of tenth/fourth century. Bouhdiba argues that sexuality as discussed in the Qurʾan, the sunna and the classical legal texts constitutes a sort of 'superego' for sexual behavior throughout time.[16] Indeed, most if not all contemporary discourses on sexual ethics and 'Islam' need to define their position with regards to the fundamental texts of Islamic civilization and more specifically to those produced by the jurists of the classical period.

Feminist scholarship criticizes the contemporary concomitant claims of Islamic authenticity and communal identity with the legal status of women and more specifically the regulation of their sexuality as delineated in classical legal texts.[17] It

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[14] Kecia Ali, *Marriage and Slavery*, 3.

[15] Mir-Hosseini, "The Construction of Gender," 1. Mir-Hosseini distinguishes three distinct discourses in Islamic thought: the first two, which she describes as premised on various forms of inequality between the sexes, are the classical *fiqh* texts and the modern legal codes which were developed in Muslim countries in the early part of the twentieth century. The third which she calls Reformist emerged in the last decades of the twentieth century. She argues that it is within this discourse that gender equality in law can be achieved.

[16] ʿAbdelwahab Bouhdiba, *La Sexualité en Islam* (Paris : Presses universitaires de France, 1975), 2-5.

[17] Kecia Ali and Judith Tucker explain that this contemporary situation is linked in part to the fact that in the post-colonial period, European based legislative codes of law have gradually replaced Islamic

calls into question the notion of a pristine authentic past and notes that the "content and

implications of the laws" which are considered as loyal reproduction of classical legal

regulations often "diverge considerably from earlier regulations."[18] They argue that the

early Muslim conception of marriage differed greatly from the modern one in the sense

that the early Muslim jurists emphasized primarily the sexual duties of the wife and not,

as contemporary discourse does, her motherhood.[19] Kecia Ali further argues that female

slavery was used as a main referential thinking tool by the classical jurists and thus

greatly affected the legal regulation of marital relations. She concludes that even though

the vocabulary referring to slavery has been removed from the modern legal texts, "core

ideas about maleness, femaleness, sexuality and power that structured the early jurists'

thinking survive in a myriad ways in today's discourse."[20] Kecia Ali explicitly

acknowledges that in deciding to devote a monograph to sexual ethics and Islam, she

contributes to this discourse which inextricably ties Islamic authenticity to the status of

women which she herself criticizes. She justifies her endeavor, however, by arguing for

the necessity to revisit the legal founding discourses and fundamental *fiqh* or legal texts

of the formative period since a growing number of contemporary discourses on the

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jurisprudence as the primary referent of legal doctrine in nearly every Muslim nation especially in
economic and political matters. The main section of the shari'a that continued to be applied is that
concerning 'personal status' namely the gendered rights of women and men in marriage, divorce, and
inheritance, granting it a particularly important role in the construction of Muslim individual and
communal gendered identities. Leila Ahmed, Fatima Mernissi and Ziba Mir-Hosseini often oppose the
ethical teachings of the Quran which they describe as egalitarian in spirit to the androcentric ethical
principles which underlie the regulation of gender relations in the 'orthodox classical Islamic legal texts.
Khaled Abou el-Fadl adds that this modern codification of the shari'a did away with the malleability of
fiqh. With the rise of political Islam, these laws have become an ideological battle ground since the status
of women in Islam provides important differences in comparison to the status of women in the West, in
Speaking in God's Name: Islamic Law, Authority and Women (Oxford: Oneworld, 2001), 209-249.

[18] Ali, *Marriage and Slavery*, 3.

[19] Mir-Hosseini, "The Construction of Gender," 6.

[20] Ali, *Marriage and Slavery*, 4.

status of women in Islam derive their legitimacy and authority by claiming to emulate a timeless authentic past inscribed in foundational legal discourse which they in turn purport to reproduce.

The primacy ascribed to the status of women and more specifically to the regulation of their sexuality in assessing and instituting individual female and male as well as a certain communal cultural ethos is not, however, distinctive of contemporary Islamic societies. As Joan Scott has convincingly argued, using women as a factor for the consolidation of power and the affirmation of individual and communal identities through 'difference' is inherent to the workings of gender.[21] Scholars who have investigated differences and similarities among classical Sunni and Shi'i legal texts of the formative period of Islamic history state that their similarities greatly outnumber their differences noting, however, that the area where important differences do exist concerns the status of women. Wilfred Madelung argues that these differences among Sunni and Shi'i legal rulings on the status of women do not reflect differences in the 'conception of woman' but rather that differences in the status of women were used by the jurists to express political, social, and economic differences and thus trace the boundaries that constructed communal identities.[22] Thus, the 'status' of women past and

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[21] Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988), 47. Scott states that across time and space the connection between authoritarian regimes and the control of women has been noted but not thoroughly studied. "Whether at a crucial moment for Jacobin hegemony in the French Revolution, at the point of Stalin's bid for controlling authority, during the implementation of Nazi policy in Germany, or with the triumph in Iran of the Ayatollah Khomeini, emergent rulers have legitimized domination, strength, central authority, and ruling power as masculine (enemies, outsiders, subversives, weakness as feminine) and made that code literal in laws (forbidding women's political participation, outlawing abortion, prohibiting wage earning by mothers, imposing female dress codes) that put women in their place. […] These actions can only be made sense of as part of an analysis of the construction and consolidation of power."

[22] Wilfred Madelung, "Shi'i Attitudes Towards Women as Reflected in *Fiqh*," in *Society and the Sexes in Medieval Islam*, 69-80.

present, East and West is often used to institute gender relations aimed mainly at consolidating a certain understanding of political, social, and epistemic power/authority as well as a means to embody communal and sectarian identities through the affirmation of difference. Islamic legal discourse confirmed and consolidated its epistemic authority, in part, by regulating the sexuality of slave women and delineating a code of sexual ethics which needed to account for the status of slave and free women as well as slave and free men in the context of a patriarchal society.

The regulation of sexuality requires defining attitudes towards pleasure. Together they constitute one of the primary fields for constructing individual and communal gendered identities as well as tracing the boundaries of a distinct cultural ethos. Bouhdiba notes that the rejection of asceticism embodied in the hadith "no monkery in Islam" is an important identity marker which aims in part at emphasizing the difference in attitudes towards marriage and sexuality in Islam and Christianity with the Prophet set as the example to follow.[23] Basim Musallam states that medieval Christians were indeed fascinated by what must have appeared as fundamentally opposed conceptions and attitudes towards sexuality on the eastern and southern shores of the Mediterranean. Christianity confined sexual intercourse to a monogamous and permanent marriage and justified sexual intercourse as a means for procreation denying or rejecting its legitimization as a source of pleasure.[24] In Muslim culture, sexuality was permitted not only within the limits of marriage but also of concubinage with slave women. Moreover, marriage was neither monogamous nor permanent. A man could

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[23] Bouhdiba, *La sexualité*, 12.

[24] Basim Musallam, *Sex and Society in Islam: Birth Control before the Nineteenth Century* (Cambridge: Cambridge University Press, 1983): 10.

marry up to four wives and could easily divorce; as far as concubines were concerned, no limits were imposed by the law. Furthermore, marriage was aimed primarily at fulfilling the sexual needs of the husband, procreation holding a secondary position.[25]

Medieval Christian and Muslim views on sexuality are often compared in order to highlight their differences which are generally associated with contrasting attitudes towards earthly pleasures.[26] While Medieval Christian culture is generally described as wary of earthly pleasures, Muslim culture is portrayed as appreciative of sensual pleasures apprehended as God's gifts to his creation. "Le Christianisme adopte à l'égard de la sexualité une attitude hostile et négative. […] l'Islam a au contraire, une éthique positive, affirmative qui dit « oui » à la sexualité et à sa satisfaction. " Bousquet states that this is particularly evident in the legal discourse of the jurists : "La loi musulmane contrairement à l'éthique chrétienne qui n'a jamais considéré avec faveur le plaisir sexuel, est au contraire favorable à la satisfaction de l'instinct sexuel."[27]

This explicit recognition of sexual needs within Muslim civilization led many scholars to describe classical Islamic culture as "sex positive."[28] Nevertheless, scholars have nuanced this statement. Franz Rosenthal suggests that the description of paradise as the "perfect repository of all pleasures" may be seen as much as affirmation of sexual pleasure as an expression of a society's misapprehension about sexual pleasure on earth.

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[25] Mir Hosseini, "The Construction of Gender," 6.

[26] Musallam, *Sex and Society in Islam*, 11. Musallam quotes Roger Bacon who in his classification of the nations of the world according to their pursuit of one of the six possible ways of life: pleasure, riches, honor, power, fame, or the felicity of a future life, states that for the Muslims it was pleasure.

[27] G H. Bousquet, *L'éthique sexuelle de l'Islam* (Paris: Maisonneuve et Larose, 1966), 43- 44.

[28] Franz Rosenthal, "Fiction and Reality: Sources for the Role of Sex in Medieval Muslim Society," in *Society and the Sexes in Medieval Islam*, 4.

It may be interpreted as an awareness of the disruptive potential of sexuality for the smooth running of the social order rather than a glowing affirmation of sexuality.[29] Bouhdiba remarks that there is a difference between an explicit integration of sexuality, an open recognition of sexuality as a positive impulse, and the acknowledgement that sexuality is a need that has to be regulated because it carries the potential of causing much disorder if left unregulated. Thus, the apprehension of sexuality as potentially subversive to the social order exists both in Christianity and Islam. The difference resides in how each culture chooses to 'handle' sexuality.[30]

Claiming Islam as a sex positive culture was yet called into question when inquiry was made into whether this 'sex positiveness' concerned both men and women and more specifically how it differentiated between free and slave women. Bousquet notes that "Islam" is favorable to the satisfaction of the sexual pleasures of men and in a very minor fashion those of women and adds that this situation is replicated in the description of paradise.[31] Feminist historians who focused their inquiries on the gendered regulation of sexuality by the jurists of the formative period presented the "sex positiveness" of Islamic ethics as androcentric attending to men's sexual needs as well as ignoring those of women. Kecia Ali suggests that "Muslims have often been self-congratulatory about the heritage of explicit discussions of sex in legal and literary works, without recognizing the pervasive nature of androcentric and even misogynist assumptions in those texts.[32] Furthermore, historians of sexual ethics in classical Islamic

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[29] Ibid., 6.

[30] Bouhdiba, *La sexualité*, 104.

[31] Bousquet, *L'éthique sexuelle*, 46, 51.

[32] Kecia Ali, *Sexual Ethics and Islam: Feminist Reflections on the Qur'an, Hadith and Jurisprudence* (Oxford: Oneworld, 2006), xxvii.

culture and more generally scholars involved in 'writing the feminine' have argued that a double standard regulated sexual ethics depending on whether women were free or slaves.[33]

B.   Ideological Interpretations of the Legal Regulation of Women's Sexuality

Until the 1980s, with the exception of G.H. Bousquet's monograph entitled *L'éthique sexuelle de l'Islam* (1953), scholarly investigation of the interaction of female slavery, Islamic law and the regulation of women's sexuality was rather scarce. Scholars such as Noel Couslon and John Esposito, who inquired into Islamic family law which included the regulations of sexual behavior, focused predominantly on how the confinement of licit sexual relations to marriage and concubinage contributed to an improvement in the status of women in comparison to what was depicted as their precarious status in the pre-Islamic era.[34] This scholarship did not grant much attention to the role of female slavery in the regulation of sexuality. Noel Coulson emphasizes "the radical nature of the reforms introduced by Islam with regard to the husband-wife relationship which had generally prevailed among the nomadic tribes in pre-Islamic customary Arabian law. […] The fundamental purpose of the law accordingly became

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[33] Bouhdiba, *La sexualité*, 106-109. As mentioned earlier Bouhdiba describes the concubine as the anti-wife.

[34] John Esposito, *Women in Muslim Family Law* (Syracuse: Syracuse University Press, 1983), xiv. Esposito asserts that the changes introduced by the Quran to shift tribal allegiance to allegiance to the *umma* were paralleled with a concern for reorganizing and strengthening familial ties mainly in the fields of marriage, divorce and inheritance. He points to the central position granted and held by the family in Islamic civilization by noting that "family law has been at the heart of the shari'a and [forms] the major area of Islamic law that has remained in force to govern the lives of more than 800 million Muslims from North Africa to Southeast Asia."

[34] Ibid.

the elevation of the marital status and its consolidation as the foundation stone of the Muslim family" which gradually replaced the larger tribe in providing the social framework for discussing and delineating the roles, the positions, duties and rights of women. He adds that, "whereas women in pre-Islamic tribal law occupied the position of childbearing chattels generally deprived of proprietary or other rights and sold into a loose sexual liaison to their husbands for a price which was paid to the wife's father or other close relatives […]," in Islamic law a wife was granted the dower as well as property rights. Furthermore, it was the integration of a slave women to the circle of family members through the status of *umm walad*, and not conversion to Islam, that eventually bestowed upon them free legal status.[35] The ties linking the legal and the social status of women were such that the 'concept of woman' outside the family was almost unthinkable and roles outside the family led to social exclusion or marginalization.[36]

A current among feminist scholars has nuanced the perceived positive impact of Islamic law on the legal status of free women by pointing to the 'detrimental' influence of the presence of slave women on the status of free women. Feminist scholars argue that the practice of female slavery and the seemingly ubiquitous presence of slave women as sexual commodities favored a conception of woman as slave and object for sexual use. This image in turn informed the dominant Abbasid ideology and affected how "Islam was heard and interpreted in this period and how its ideas were rendered into law."[37] Ahmed notes that it was in this particular Abbasid context that the

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[35] Joseph Schacht, s.v. "Umm walad," *Encyclopaedia of Islam*, Second Edition.

[36] Couslon, "Regulation of Sexual Behavior," 67.

[37] Ahmed, *Women and Gender*, 67.

jurists of the classical period delineated their regulations of sexual relations: "The men creating the texts of the Abbasid age of whatever sort, literary or legal, grew up experiencing and internalizing the society's assumptions about gender and about women and the structures of power governing the relations between the sexes […] such assumptions and practices in turn became inscribed in the texts […]regarded as the core prescriptive texts of Islam."[38] She points to the dichotomy between the ethical teachings in the Qur'an emphasizing the spiritual equality of men and women and the Abbasid ethos based on androcentric values. Kecia Ali, who focuses on the link between marriage and slavery in the construction of Islamic matrimonial legal discourse, argues that the classical jurisprudence conception of marriage as a form of *milk*, that is a form of dominion, control or ownership was based on the analogy that the jurists established between marriage and concubinage as well as between wives and concubines. Concubinage or *milk al-yamīn* entailed ownership and control of the slave woman which included her sexuality following a legal sale while marriage which was referred to as *milk al-nikāḥ* provided control over the sexuality of the wife in return for a dower.[39]

A different trend of scholarship on slavery and Islamic law has studied legal texts for a better understanding of the legal and social limitations and opportunities that structured the lives of slave women without necessarily engaging in the impact of their

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[38] Ibid., 83.

[39] Ali, *Marriage and slavery*, 40; Bouhdiba, *La sexualité*, 106. Scholars note that the status of concubine was not a legal one. A man was granted legal sexual access to any of the slave women that he owned. The law, however, regulated the relation a man could have with a concubine. She should be exempted from menial tasks and given better clothing than the other slave servants. Her 'privileged' position remained, nevertheless, precarious. The change in the legal status of a slave woman to that of *umm walad* was tied to her being impregnated by her master and not simply to attracting his sexual drives.

presence on the lives of free women. This scholarship, focusing on the legal status of slave women in the Qur'an and legal texts has shown that the egalitarian spirit of the Qur'an is paralleled by a hierarchical understanding of society which locates the slave at the lower end of social order. Nevertheless, this social hierarchy is mitigated by encouraging masters to emancipate their slaves and even marry them off. Scholars further note that legal discourse granted slaves and more specifically slave women, through emancipation contracts or through sexual partnerships, the possibility, to move gradually from servility to freedom. Scholars suggest that an investigation of the legal regulation of the sexuality of slave women should explain how legal discourse accounts for the different legal statuses ascribed to slave women.[40] Finally, the limiting of licit sexual practice by the Qur'an to wives and slaves and the prohibiting of slave prostitution is interpreted as indicative of the rise of a new sexual ethics in Mecca and Medina. The changes in the regulation of slave women's social and sexual positions reflect the need to challenge the predominant social order according to new moral and social values.[41]

C.   **The Emergence and Elaboration of Classical Legal Discourses: the Historical Context**

The contemporary debate over female slavery brings into focus the historical significance of the foundational Islamic discourses and more specifically of the classical legal texts regarding sexual ethics and the regulation of women's sexuality, enslaved

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[40] Cristina de la Puente, "Juridical Sources for the Study of Women: Limitations of the Female Capacity to Act According to Maliki Law," in *Writing the Feminine, Women in Arab Sources*, eds. Manuel Marin and Randi Deguilhem (London: I.B. Tauris, 2002), 95-110.

[41] Brockopp, *Early Maliki Law,* 133-138.

and free. It also highlights the different ways in which these texts are perceived, exploited and interpreted. Despite their popularized description as ahistorical, the foundational Islamic legal discourses were gradually produced in the formative period of Islamic civilization and crystallized under the Abbasid dynasty between the late eighth/second and eleventh/fourth centuries.[42] The emerging community of religious scholars began rethinking and reshaping everyday activities in an effort to give them an Islamic mold. Their writings constitute the beginning of Islamic jurisprudence. It was also within this period of time that the religious authority of the 'ulama' or religious scholars gradually gained in prominence with regard to the masses especially in the urban centers, such as Kufa, Medina or Baghdad. People increasingly turned to them for guidance and instruction in their daily duties, beliefs and transactions as Muslims. Faced with a series of challenges, religious scholars began to write and build their opinion on the various aspects of life.[43]Among those scholars there were many who in their various discussions and writings came also to examine the institution of female slavery and propound their views on what it was about. Their works were influenced by their private convictions and beliefs, their "fears and inclinations" and also by their reactions to the various forms taken by the customary practice of female slavery. They were also very conscious of their emerging role as repositories of religious knowledge and authority and of the faltering position of the caliphate in that regard.[44]

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[42] This applies mainly for the foundational texts of the four Sunni schools of law

[43] Wael Hallaq, *The Origins and Evolution of Islamic Law* (Cambridge: Cambridge University Press, 2005), 57-78.

[44] Ira Lapidus, *A History of Islamic Societies* (Cambridge: Cambridge University Press, 1988), 98-119.

Islamic law unlike other medieval/pre-modern codes of law such as the

Justinian code was not legislated by instances integrated in the state apparatus. With the

exception of the early period of the Prophet and the *Rashidūn* caliphs, Islamic law was

mostly constructed by scholars with pietist concerns who positioned themselves at a

careful distance from political power. The last and failed attempt to merge executive

and legislative powers within the state apparatus and more specifically in the person of

the caliph himself was undertaken by the caliph al-Ma'mun (d. 218/833) whose failure

to impose the Muʿtazilī doctrine set the gates open to the emergence of socio-legal

communities or *madhāhib* of which four among the Sunnis stood the test of time: the

Mālikī, Ḥanafī, Shafiʿī and Ḥanbalī schools of law.[45] Brunschwig suggests that the

differences between the schools may be understood as reflecting social and cultural

differences between the predominantly Arab culture of the Arabian Peninsula and the

more stratified and complex social structure and varied ethnic composition of cultures

in Iraq and Syria.[46]

Juridical discussions regarding the rights and duties of individuals are not

purely legal matters but rather emanate from a concern with a specific conception of the

ideal human subject.[47] The community of religious scholars perceived themselves as the

guarantors of a tradition that they understood as the foundation of an inherently Islamic

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[45] Nimrud Hurwitz, "From Scholarly Circles to Mass Movements: The Formation of Legal Communities in Islamic Societies," *American Historical Review* 4 (2003): 985-1008; Christopher Melchert, *The Formation of the Sunni Schools of Law, Ninth-Tenth Centuries. C.E.: A Dissertation in History* (Ph.D. diss., University of Pennsylvania, 1995).

[46] Robert Brunschwig, "Considérations sociologiques sur le droit musulman ancien," *Studia Islamica* 3 (1955): 61-73.

[47] Benkheira, "Un libre peut-il épouser une esclave?," 353.

order. By the end of the second/eighth century, legal discourse witnessed a division between two competing approaches to jurisprudence. One was championed by the traditionalists (*ahl al-hadith*) and the other by the rationalists (*aṣḥāb al-ra'ī*).[48] The conflict between *ahl al-hadith* and *aṣḥāb -ra'ī* led to an evolution from a legal discourse where the Qur'an and hadith did not constitute primary referents of law and where customary law as well as the jurists' own reasoning were considered legitimate sources or references for legal reasoning to a legal discourse where the primacy of the Qur'an and hadith was mandatory for legitimate legal rulings. In the course of the third/ninth and fourth/tenth centuries the gradual rise to prominence of the traditionalist approach succeeded, in the wake of the political fragmentation of the Abbasid Empire, at granting the Muslim polity a social cohesion with clearly identifiable cultural referents and boundaries, namely, the Qur'an and the sunna. Eventually, even the jurists who were identified as *aṣḥāb al-ra'ī* had to base themselves on the Qur'an and hadith to legitimize their previous rulings without necessarily changing their opinions.[49]

The predominance of *ahl al hadith* reflects the emergence of a cultural ethos characterized by a pietist attitude intent on submitting law to religion. This urban religious culture stood in contrast and at times evolved in opposition to court culture. One of the main distinctions between religious culture and court culture was the latter's interest for man's life and pleasures on earth as opposed to the former's focus on the afterlife and obtaining salvation. The cautious attitude of the pietists towards passions

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[48] Makdisi George, *The Rise of Humanism in Classical Islam and the Christian West* (Edinburgh: Edinburgh University Press, 1990), 7.

[49] Knut Vikor, *Between God and the Sultan: a History of Islamic Law* (London: Hurst & Co., 2005), 28.

and pleasures seems to have in part appropriated an ancient conception of the ideal

subject as one who practices self-restraint.[50] Traditionalist legal discourse elevated the

Prophet and his Companions as the models to follow and thus sought to delineate an

ideal Muslim behavior on earth leading to salvation in the hereafter. The 'legal'

regulation of attitudes towards earthly pleasure and more specifically slave women as

legally accessible sexual commodities was thus granted a distinctive significance.

My choice to investigate Ḥanafī texts is based on the widespread appreciation

of the Ḥanafī School in Iraq. Many of the judges at the Abbasid court were members of

the emerging Ḥanafī school. Ḥanafī jurists substantiated their legal discourse with

independent opinion and references to custom as a legitimate base for legal discourse.

As such, the followers of Abu Hanifa became the target of the Traditionalists.

Nevertheless, the Ḥanafī School favored neutrality and tolerance in the various religio-

political disputes that marked the early Abbasid period. In response to the Traditionalist

approach, they also substantiated their views with supportive hadith lending them

religious legitimacy.[51] It is a particularity of this school that three scholars, namely, Abu

Hanifa, Abu Yusuf, and al-Shaybani came to be regarded as the three highest authorities

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[50] Benkheira "Un libre peut-il," 251. Benkheira notes that this attitude was not limited to jurists but was also adopted by some philosophers such as Abu Bakr al-Razi (d. 932). He suggests that the history of this ethical ideal still needs to be written. Meir M. Bar-Asher, "Quelques aspects de l'éthique d'Abu Bakr al-Razi et ses origines dans l'œuvre de Galien," *Studia Islamica* 68 (1989): 5-38 and 70 (1990): 119-47; 'Abdallah Cheikh-Moussa, "La Négation d'Éros ou le *'ishq* d'après deux epîtres d'al-Jahiz," *Studia Islamica* (1990): 71-119.

[51] Melchert, *The Formation of the Sunni Schools of Law,* 91-99.

of the school. However, the three did not necessarily agree. There are in fact a number of instances where each of them voiced a different opinion on the same issue.[52]

D.   Slave Women and Sexual Ethics in Classical Ḥanafī Legal Discourse

The regulations of the sexual rights and duties of slave women in Ḥanafī legal texts are found mostly in the chapters dedicated to marriage or *nikāḥ* in *Kitab al-Asl*,[53] *al-Jami' al-Sagir* and *al-Jami' al-Kabir* of al-Shaybani and *al-Mabsut* of al-Sarakhsi. These four compilations are considered as major references in Ḥanafī jurisprudence.[54] More than two centuries separate the two jurists allowing for an account of the evolution in legal discourse.

The terms used in legal discourse to refer to slave women either reflect the type of sexual partnerships or the emancipation contracts in which these women were involved. The terms *ama* and *jāriya* are interchangeably used for a concubine and/or a slave servant; *ama mamlūka* is used for a concubine only; *ama mankūḥa* for an enslaved wife; and *umm walad* for a concubine mother. All these terms denote positions of slave

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[52] Abu Ja'far Ahmad bin Muhammad al-Tahawi, *Mukhtasar Ikhtilaf al-'Ulama'* (Beirut: Dar al-Basha'ir al-Islamiya, 1995).

[53] Joseph Schacht, s.v. "Al-Shaybani," *Encyclopaedia of Islam*, Second Edition. In this article Schacht notes that this treatise attributed to al-Shaybani," is in fact a compilation of forty-seven short texts on *fiqh* which Ibn al-Nadim attribute to al-Shaybani," in his *Fihrist*. He adds that "*Kitab al-Asl* played a vital role in the Ḥanafī *madhhab* to such an extent that, according to some of its leading scholars, for a Ḥanafī jurist it was sufficient to memorize it for being considered a *mujāhid*."

[54] W. Heffening and Joseph Schacht, s.v. "Hanafiyya," *Encyclopaedia of Islam*, Second Edition.

women as licit sexual partners. The terms *mudabbira* (a slave woman who is to be freed after the death of her master) or *mukātiba* (a slave woman who is buying off her freedom by means of a contract) refer to the two different forms of emancipation contracts that were available to slave women and men. Legal discourse does not refer to social, cultural, or administrative positions that slave women may hold outside the household, such as the *qayna* or the *qahramāna* (the harem stewardess)[55] since they do not bear any legal consequences. It does, however, acknowledge the possibility for slave women with a *kitāba* contract to engage in commercial transactions when granted the permission of their master.[56]

The concept of *kafā'a* or social equality holds a prominent position in al-Sarakhsi's chapter on marriage and sheds light on the jurists' understanding of slavery as a human condition as well as the positions of slave women and men in the social hierarchy of classical Islamic societies.[57] It acts as a fundamental factor in regulating marital relations among free men and free women and to a lesser degree among free men and slave women.[58] It clearly demonstrates that the preservation of social hierarchy

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[55] Nadia Maria El-Cheikh, "The *Qahramana* in the Abbasid Court: Position and Function," *Studia Islamica* 97 (2003): 41. It is important to note that a *qahramāna* is not necessarily a slave.

[56] Al-Shaybani, *al-Asl*, 97.

[57] Y. Linant de Bellefonds, s.v. "Kafa'a," *Encyclopaedia of Islam*, Second Edition; Farhat Ziadeh, "Equality (kafa'a) in the Muslim Law of Marriage," *American Journal of Comparative Law* 11 (1957): 503-517; Mona Siddiqi, "Law and the Desire for Social Control: An Insight into the Hanafi Concept of Kafa'a with Reference to the Fatawa Alamgiri (1664-1672)" in *Feminism and Islam: Legal and Literary Perspectives*, ed. Mai Yamani (Washington NJ: New York University Press, 1996), (pages); Amalia Zomeno, "*Kafa'a* in Maliki Law: A *fatwa* from Fifteenth Century Fez," in *Islamic Law, Theory and Practice*, ed. R. Gleave and E. Kermeli (New York: I.B. Tauris, 1997), 87-107.

[58] Linant de Bellefonds and Farhat Ziadeh note that the importance granted to the concept of *kafā'a* in jurisprudence is a particularity of the Ḥanafī School of law. They both attribute this particularity to the

and of the honor of free women and of their families is a key factor in the regulation of

marriage between free and/or slave men and women.[59]

Al-Sarakhsi states that "*Kafā'a* should be sought in marriage because

matrimony is a lifelong relationship which aims to establish companionship and family

ties. It should only take place among individuals of similar social standing." He then

quotes a hadith in which the Prophet compares the position of women in marriage to

slavery. The Prophet says "Marriage is similar to slavery. Let everyone of you pay

attention to the [man] upon whom you bestow your women." Even though the hadith

does not specify the status of the women concerned, the reference to family ties implies

that it addresses free women. Al-Sarakhsi legitimizes this comparison by explaining that

marriage places a woman under the control (*milk*) of a man and that this dominion

places women in a position of (*dhill*) or humiliation and submissiveness which is

magnified when the woman has to share the bed of a man who does not share her social

standing. This double mortification deriving from forced compliance and lack of social

compatibility which marriage may impose on free women is comparable to

enslavement. [60] The concept of *kafā'a* is advanced in part in order to alleviate the

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specificities of the social context in which Ḥanafī legal discourse developed and maybe more importantly
to the fact that the Ḥanafī school of law allowed women who had reached puberty to conclude their
marriage without the assistance of a *walī*. This situation rendered the risks of misalliance greater than in
madhāhib where this prerogative did not exist. Linant de Bellefonds notes that if *kafa'a* was not a judicial
concept in Mālikī law, it did constitute an inevitable social norm. He remarks, that in modern times, the
granting of matrimonial rights to women in Morocco was mitigated by introducing the concept of *kafā'a*
to modern Mālikī texts even though it was unknown to the classical Mālikī texts.

[59] The concept of *kafā'a* remains a potent factor in regulating marital relations as is discussed by Khalid
al-Azri, "Change and Conflict in Contemporary Omani Society: The Case of *kafa'a* in Marriage," British
Journal of Middle Eastern Studies 37 (2010): 121-137.

[60] Al-Sarakhsi, *al-Mabsut,* v.5, p.23.

potential indignity that free women and their families may incur through marriage. The significance of *kafā'a* is such that the absence of social compatibility between a wife and her spouse is a strong enough reason for the woman or her legal mentor to appeal to a judge requesting a marriage annulment.[61] *Kafā'a* is based on five parameters: genealogy (*nasab*), freedom, financial status, profession,[62] and social merit (*ḥasab*). In a further elaboration of the concept of *kafā'a*, al-Shaybani describes Muslim society is described as formed of two groups the free and the slave. Among the free, the tribe of Quraysh stands at the top of the social ladder. It is followed by the Arabs and in third position by the *mawālī* or clients of the Arabs. As for the slaves, they stand at the bottom of the social pyramid.[63]

Nevertheless the concept of *kafā'a* reveals a fluid social hierarchy and the possibility for social mobility since it recognizes that slaves can be freed.[64] It thus grants to the second generation of freed slaves the same status as that of the free. It legitimizes

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[61] Men are not directly concerned with the concept of *kafā'a* since they are provided with the means to end a marriage that they find unsuitable and as importantly because the status of the children follows that of the father. In legal discourse, the social or legal status of the female partner cannot be a source of shame or humiliation for the man. One may indeed point out that the majority of Abbasid caliphs were the sons of concubines, a situation that did not seem to prevent them or their fathers from holding the most powerful position in the Muslim Empire. To what extent this reflected the social norm of the urban middle class is not clear.

[62] Robert Brunschwig, "Métiers vils en Islam," *Studia Islamica* 16 (1962): 55-57. Linant de Bellefonds notes that the concept of *kafāa* in Ḥanafī jurisprudence required compatibility in profession which in turn led to the drawing up comparative tables of the different professions in a number of Ḥanafī works.

[63] Al-Shaybani, *al-Jami' al-Saghir*, 173.

[64] Ziadeh, "Equality (kafa'a)," 503. Ziadeh notes that the concept of *kafā'a* was not strong enough or legally binding to the point of transforming social stratification into legal 'estates' as was the case in medieval Europe.

this equality by explaining that *nasab* or genealogy is established by the father and confirmed by the grandfather.[65] Social stigmas that may be attached to the status of freed slaves are not accounted for in legal discourse. To what extent this situation reflects social reality among the upper or middle social classes is questionable. Cristina de la Puente states that "In a *fatwa* by the Cordoban jurist Ibn Zarb (d. 381/991), there is mention of a marriage between a man and a freed female slave, which so wounded the pride of a member of his family […] that the aggrieved relative proposed that if the man would divorce her, he would sign a promissory note for one hundred dinars which would come into effect when he took another wife."[66]

The regulation of slave and mixed marriages demonstrate a hierarchy among men and women, slave and free, that is based on both gender and status. It shows that slavery was not monolithic. A slave man with no emancipation contract is described as socially compatible with and so allowed to marry an *ama*, an *umm walad* and a slave woman with a *tadbīr* contract but not a *mukātiba* or a free woman. The combination of gender and status in determining social hierarchy grants a slave woman with a *kitāba* contract and a free woman a higher position than that of a slave man with no emancipation contract. If the slave man has an emancipation contract (regardless of the nature of the contract), he may marry all of the above. The gender of the slave man with an emancipation contract grants him a status higher than that of all women slave and free. [67]

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[65] Ibid.

[66] De la Puente, "Slaves in al-Andalus," 200.

[67] Al-Shaybani, *al-Jami' al-Kabir*, 85.

The category of *kafā'a* implicitly differentiates between two conceptions of the institution of marriage in legal discourse, each based primarily on the status of women. Despite the similarity of the terminology, the objectives (*maqāṣid*) of marriage between a free man and a free woman are very different from those underlying certain mixed marriages between a free man and a slave woman. The objectives of marriage with a free woman are not only to allow for licit sexual relations between the spouses but also to establish convivial social ties between their respective families.[68] Islamic law prohibits a slave master from marrying his own slave woman unless he frees her. If a man wants to beget children or 'found a family' with his slave woman, he can either make her his *umm walad* or free her and marry her. In Ḥanafī legal discourse, marriage between a free man and a slave woman is discussed as part of a sale transaction.[69] A free man buys a slave woman and then allows her to 'marry' her previous owner.[70] Why would a man sell his slave woman and then make her his wife? What is the purpose of that transaction?

Marriage between a free man and a slave woman grants the man sexual access to a slave woman and at the same time frees him of any responsibility towards the children that the slave woman may bear since they follow in such a case the status of their mother and are the property of the new owner who thus gains new slaves.[71] The

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[68] Al-Sarakhsi, *al-Mabsut*, 23.

[69] Ibid., 109. Shafiʻi discusses marriage between a free man and a slave woman as a means to avoid sinful behavior. See Benkheira, "Un libre peut-il épouser," 250-258.

[70] Al-Shaybani, *al-Jamiʻ al-Kabir*, 85 and 86.

[71] Al-Sarakhsi, *al-Mabsut*, 108.

conception of a slave woman as a sexual and reproductive commodity is here implicitly expressed. Marrying a slave woman without freeing her allows two men, her owner and her husband, to benefit from her reproductive and sexual capacities with very little if any concern for her person. Such marriages are not geared towards founding a family but rather towards satisfying sexual needs while engaging in a licit sexual partnership that is not as constraining as marriage to a free woman or a freed slave. Mixed marriages appear as temporary in nature since they are often accompanied by a discussion about the divorce that might follow such a matter with an emphasis on the financial consequences of such a divorce. The dowry imposed on the husband of the enslaved wife is the main constraint imposed on him and maybe the only benefit granted to the enslaved wife.[72] This conception of the slave woman as a sexual commodity may explain the absence in the Ḥanafī legal texts of a section dedicated to the status *umm walad* which is addressed in a number of scattered references as well as making the status of *umm walad* impingent upon the master's recognition of his paternity.[73]

Clearly, the preservation of the honor of free women so central to the principle of *kafā'a* does not constitute a parameter in regulating the marriages of slave women since they stand at the bottom of the social ladder. Slave women lacked the attributes of genealogy (*nasab*) and social merit *(ḥasab)* which were closely associated with the

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[72] Al-Shaybani, *Al-Jami' al-Kabir*, 89-90.

[73] In the latter case, absence of paternity may be explained by stating that the master used '*azl* during intercourse.

notion of honor.[74] They were thus deprived of the dignity associated with free women.

This is again illustrated by the refusal to grant slave women the legal status of *muḥṣan*,

which refers to a woman liable, in the event of adultery, to death by stoning. The status

of *muḥṣan* requires three qualifications, namely freedom, a consummated marriage, and

Islam. [75] The absence of the category of honor which is organically attached to the

concept of freedom may explain the refusal to grant slave women the status of *muḥṣan*

and thus reducing punishment for adultery to fifty lashes.[76] The preservation of the

honor of the free wife, in regulating mixed marriages, remains indeed an important

parameter. A free woman's dignity requires not only a suitable male partner but also

socially compatible co-wives. A free man does not have the right to marry

simultaneously a free woman and a slave woman without the consent of the free wife. If

he does the marriage is void.[77] Preserving the distinctive status and thus the honor of the

free wife is also reflected in the will to differentiate childbearing from motherhood by

refusing to grant slave women maternity rights (*ḥaḍāna*).[78]

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[74] Ed., s.v. "Hasab and Nasab," *Encyclopaedia of Islam*, Second Edition.

[75] John Burton, s.v. "Muhsan," *Encyclopaedia of Islam*, Second Edition; John Burton, "The Meaning of *Ihsan*," in *Journal of Social Studies* 19 (1974): 45-75; De la Puente, "The legal capacity," 102-106.

[76] Al-Sarakhsi, *al-Mabsut*, 124.Whereas modern justice tends to grant the powerful means to evade harsh punishment, medieval Islamic legal discourse tied the harshness of punishment to the person's legal capacity to act which was based on both gender and degrees of freedom; the fuller the legal capacity to act, the harsher the punishment. Free *muḥṣan* women are stoned to death in case of adultery whereas slave women are suffer fifty lashes instead of the hundred lashes imposed on free women who are not *muḥṣan*.

[77] Ibid., 109.

[78] Ibid., 213.

While the jurists aimed at preserving the social order, they also granted slave women means for social mobility. The preservation of social hierarchy in regulating mixed or slave marriages, accounts for the different degrees of servility that slave women may acquire through a contract of emancipation. Legal discourse recognizes the personhood of slave women by granting them a margin of legal agency and acknowledging a degree of social autonomy. A slave woman's legal capacity to act is illustrated in situations where a slave woman's consent is required or where she is granted the right to choose (*khiyār*) in matters concerning her sexuality. A man who has granted a young slave woman a *kitāba* contract may not or is not encouraged to force her to marry without her consent. If she wishes to postpone the marriage contract until she is emancipated the marriage is put on hold. If the marriage is nevertheless permitted by the master, she has the right to choose whether she wants to maintain the marriage or not when she reaches her majority.[79]

The social agency of slave women is further recognized in narratives where the *ama* and the *mukātiba* attempt to deceive a potential marriage partner into believing that they are free. Al-Sarakhsi relates that "a man marries a woman believing that she is free. When the woman begets him a child, he discovers that she is a *mukātiba* and that her master had granted her the right to marry." This behavior is described as *ghurūr*.[80] The extent to which it was common has implications on the freedom of movement of free and slave women, on the availability of venues where men and slave women may have

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[79] Al-Sarakhsi, *al-Mabsut*, 158.

[80] *Ghurūr* is a term applied to both free and slave women engaging in deceptive actions.

met, as well as on the bearings of the institution of marriage itself. How can a free man be misled into believing that a woman is free when she is not? This situation is unthinkable among well to do families whose genealogies would be known. Does this mean that this kind of deceitful behavior on behalf of a slave woman towards a free man took place among the 'common people' where living conditions among the slaves and free would not exhibit great differences? Or did it involve foreign visitors who could be more easily deceived than the local inhabitants? That slave women engaged in such behavior shows that the disadvantages of the status of an enslaved wife were clearly understood and that the status of a free wife was sought after as a means for improving their living conditions and achieving social mobility.

Fatima Mernissi distinguishes between two legal constructs underlying the regulation of women's bodies and their sexuality: that of *'awra* and that of *fitna*.[81] The first refers to women's bodies as sexual zones to which visual and physical access needs to be regulated whereas the concept of *fitna* considers women's sexuality as a danger to the public order which needs to be contained. *'Awra* and *fitna*, in concomitance with the absence of honor attached to servility and an apprehensive attitude towards pleasure, underlie the regulation of slave women's bodies and sexuality in terms of the proper attitudes that men should adopt towards them as concubines and enslaved wives. The legalization of concubinage carried the potential of creating a context in which sexuality would take place outside the context of marriage without any legal inhibition. Ḥanafī legal discourse demonstrates a strong awareness and concern for the lack of inhibition

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[81] Fatima Mernissi, *The Veil and the Male Elite, A Feminist Interpretation of Women's Rights in Islam*, trans. Mary Jo Lakeland (Reading MA: Addison Wesley, 1991): 49-61, 180-188.

and indulgence in sexual activity that legal concubinage might engender in men much more than in women.

Ḥanafī jurists thus engaged in tracing the boundaries of licit and ethical sexual behavior with concubines. Al-Shaybani, denies concubines the right to pleasure. "He said: The decision to practice early withdrawal is the prerogative of the master.[…] but in the case of the free woman, the practice of early withdrawal is conditioned upon her consent; for she possesses the right to bear children and satisfy her sexual desires; […] As for the concubine (*ama mamlūka*) her consent is not a condition since she does not possess the right to bear children or satisfy her sexual needs." Opinions differed as to whether an enslaved wife may possess this right.[82] Not only were concubines denied the right to pleasure, male indulgence in sexual pleasure was also restrained. The *surrīyya*, as a provider of pleasure, is absent from Ḥanafī legal discourse.

Ḥanafī jurists engaged in delimiting which slave women were considered licit concubines and specifying permitted behavior towards slave women who conformed to the status as well as towards those who did not. A man could only take as a concubine a slave woman whom he owned. The same familial links that delimit licit sexual relations between free men and free women such as the prohibition to marry two sisters applied to slave women. A man could not have two sisters as concubines. Even though slave women were not veiled, visual and physical access to their bodies is set within clearly

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[82] Al-Shaybani, *al-Jami' al-Saghir*, 187. This issue is discussed in the context of the practice of early withdrawal. See Donna Lee Bowen, "Muslim Juridical Opinions Concerning the Status of Women as Demonstrated in the Case of '*Azl*," *Journal of Near Eastern Studies* 40 (1981), 323-328. Musallam, *Sex and Society*, 28-38.

defined boundaries. In order to insure conformity to the boundaries set by legal discourse, jurists urged free men but also slave women to engage in self-control and decide whether their actions conform to the legal and ethical norms put forth by the jurists. If looking and touching are within the permitted bounds and the man is able to control his desire than he may engage in such actions. If, however, he realizes that he is being aroused, abstinence is advised. In comparable situations, similar directives for self-restraint are addressed to slave women.

E.   Conclusion

This inquiry into the regulation of the sexuality and bodies of slave women in selected Ḥanafī legal texts shows that it is a certain conception of slavery along with a concern for a differentiation among the different degrees of servility and the status of freedom that structure the jurists' conceptual framework. Slave women are not portrayed as harboring moral standards different from those of free women. It is rather the different ethical and legal understandings of slavery and freedom in concomitance with a certain conception of womanhood as a potential source of *fitna* independently of status that underlie the regulation of the sexuality of slave and free women.

Legal discourse harbors a conception of slavery which denies slave women a sense of honor and dignity, qualities which are associated with freedom and thus ascribed to free women.[83] This absence of honor legitimizes the conception of slave

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[83] Franz Rosenthal, *The Muslim Concept of Freedom Prior to the Nineteenth Century* (Leiden: Brill, 1960). Rosenthal argues that the Muslim concept of freedom is strongly associated with the notion of nobility or honor.

women as legally accessible sexual commodities. The fewer restrictions imposed on and towards the bodies of slave women in comparison to those of the free may be explained by this absence of honor rather than in terms of a wider freedom of choice and movement or a different conception of womanhood. Nevertheless legal discourse acknowledges the personhood or humanity of slave women by granting them a narrow margin of legal and social agency. The jurists' concern for preserving social hierarchy is mitigated by the will to provide slave women with a means for emancipation and social mobility. Significantly, Ḥanafī discourse emphasizes means of emancipation which are associated either with the work of the slave women through a contract of *mukātaba* or the mercy of the master through the case of a *tadbīr* contract and not through their sexuality. This may partly explain why granting of the status of *umm walad* was impingent upon her master's recognition of his paternity. The implicit motivation may be an unwillingness to emphatically endorse sexuality as a legitimate means to attain freedom

Finally, legal discourse demonstrates a cautious attitude towards sexual appetite and sexual pleasures. The absence of the term *surrīyya* from Ḥanafī texts illustrates the unwillingness of the jurists to recognize the concubine as a provider of pleasure. They were also reluctant to acknowledge a slave women's right to sexual enjoyment. Legal discourse is primarily concerned with defining a sexual ethic for men by specifying which slave women were sexually accessible to them and by setting the boundaries of proper male sexual conduct. These boundaries are reinforced by frequent appeals to self-restraint which are addressed mainly to men but also to a lesser extent to slave women.

CHAPTER III

SLAVE WOMEN IN ADAB DISCOURSE:
FOR A MASCULINE ETHICS OF SEXUALITY AND POWER

A recurrent rhetorical question in works of *adab* from the ninth/third and tenth/fourth centuries inquires about the relations linking free men to slave and free women. Why, asks Ibn 'Abd Rabbih, would a free man who has come to know slave women choose a free woman instead?[1] While the question seems primarily to focus on the respective advantages and drawbacks of slave and free women, or on a potential double standard in men's attitudes towards slave and free women, it more fundamentally illustrates a dilemma or a certain male anxiety about the motivations behind masculine choices of female partners and the values that these choices entail and the need to regulate masculine sexual behavior.

By the ninth/third and tenth/fourth centuries, the presence of slave women in Baghdad seems to have reached a critical mass.[2] Slavery and more particularly female slavery had become a main social force in the urban centers of the Muslim Empire, notably, in the capital cities of Baghdad and Samarra.[3] *Adab* discourse includes

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[1] Ibn 'Abd Rabbih, *al-'Iqd al-Farid*, ed. Ahmad Amin, Ibrahim al-Abyari, 'Abdul Salam Harun (Cairo: Matba'at Lajnat al-Ta'lif, 1949), VI, 129.

[2] 'Abdallah Cheikh-Moussa, "Figures de l'esclave chanteuse à l'époque abbaside," in *Figures de l'esclave au Moyen-Age et dans le monde modern*e, ed. Henri Bresc (Paris: Editions L'Harmattan, 1996), 32-36. Cheikh-Moussa provides many references which cite numbers of slave women, mostly singing girls or *qiyān*.

[3] Bray, "Men, Women and Slaves in Abbasid Society," 134.

numerous anecdotes which convey the phenomenal number of *jawārī* or concubines

owned by the Abbasid caliphs who gradually abandoned the institution of marriage and

replaced it by the legal institution of concubinage.[4] Al-Jahiz notes that only three

Abbasid caliphs, al-Saffah (d. 136/754), al-Mansur (d. 158/775), and al-Amin (d.

198/813) were the sons of free women.[5] Even if gender relations in the caliphal

household did not answer to the same rules and needs as those of the wider urban

population, the court did constitute the model as well as the center of the intellectual

and cultural life of Baghdad and of the Empire at large.[6] The shunning of the institution

of marriage by the court heightened the concerns raised by the institution of

concubinage.

Khalil 'Athamina echoes the concerns of Abbasid *adab* discourse when he

suggests that the increased 'popularity' of slave women emanated from their ability to

grant men what free women could not because of the latter's upbringing, implicitly

pointing to an assumed double standard in the morals of slave and free women as well

as in men's attitudes and behavior towards slave and free women.[7] *Adab* discourse

relates a number of anecdotes regarding the large sums of money, up to one hundred

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[4] Hugh Kennedy, *The Court of the Caliphs: the Rise and Fall of Islam's Greatest Dynasty* (London: Wiedenfeld and Nicolson, 2004), 167. Kennedy gives the following numbers: al-Rashid is said to have had more than 2000 singing girls and servants in his harem; al-Mutawakkil is reputed to have had 4000 concubines and to have had sex with all of them. After the death of Harun al-Rashid, caliphs, with rare exceptions, do not seem to have married.

[5] Al-Jahiz, *al-Mahasin wa-l-Addad*, 299.

[6] Marshall Hodgson. *The Venture of Islam, Conscience and History in a World Civilization* (Chicago: University of Chicago Press, 1974), vol. 2, 444-445.

[7] Khalil 'Athamina, "How did Islam Contribute to Change the Status of Women: The Case of the *Jawari* or the Female Slaves," *al-Qantara* 28 (2007): 384.

thousand dirhams, that were spent on concubines and more particularly on *qiyān* or 'singing girls' by men belonging mostly to the elite.[8] 'Common' slave women could be bought for a price ranging from twelve *dīnārs* to one hundred and ten *dīnārs* which made them accessible to families with more modest revenues than those of the notables.[9] These slave women acted in part as cultural intermediaries between aristocratic and bourgeois culture by introducing into the household an accessible feature of court culture.[10] The challenge to matrimonial and familial gender roles and relations resulting from the increasing number of slave women at the caliphal court and more generally in the streets and households of the Empire's capital turned the *jawārī* into "the actual and symbolic center of anxieties of tenth century Baghdadi society."[11]

Much of the scholarship engaged in the investigation of female slavery has focused mainly on elite slaves such as caliphal concubines and the highly educated *qiyān*. The latter have been the subject of a number of works which focus mainly on their roles as poetesses and singers in the *majālis* of the elite.[12] This is due mainly to the nature of the sources which reflect mostly the milieu of the elite and consequently focus mainly on the highly trained and educated slave women. Scholars engaged in the study

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[8] Cheikh Moussa, "Figures de l'esclave chanteuse," 45-54.

[9] S.D. Goiten, "Slaves and Slavegirls in the Cairo Geniza Records," *Arabica* 9 (1962): 1-20; D. Richards, "Fragments of a Slave Dealer's Day-Book from Fustat," in *Documents de l'Islam médiéval, Nouvelles perspectives de recherche*, ed. Yusuf Ragheb (Paris: Institut Francais d'Archeologie Orientale, 1991), 92.

[10] Bray, "Men, Women and Slaves," 117.

[11] Nadia Maria El-Cheikh, "Women's History," 135.

[12] Fuad Matthew Caswell, *The Slave Girls of Baghdad: the Qiyan in the Early Abbasid Era* (London and New York: I.B. Tauris, 2011); Lisa Nielsen, "Gender and the Politics of Music in the Early Islamic Courts," *Early Music History* 31 (2012): 235-261; Matthew Gordon, "The Place of Competition," 61-81; Hillary Kipatrtick "Women as Poets and Chattels," 161-176; Abdel Kareem al-Heitty; "The Contrasting Spheres of Free Women and *Jawari* in the Literary Life of the Early Abbasid Caliphate," *al-Masaq* 3 (1990): 1-21.

of non-elite or 'common' concubines of the Abbasid period have relied mostly on legal texts.[13] The study of the social impact of the 'common' concubines and *qiyān* and more specifically of the role of the former in structuring gender roles within the Abbasid family is an emerging field of study to which *adab* discourse is particularly conducive.[14] Historiography on women and more specifically on slave women within the formative period of Arab Islamic civilization has turned increasingly to *adab* literature as a pertinent source for inquiry into the spectrum of 'roles' ascribed to slave women as opposed to the more prescriptive nature of the material provided by legal and religious works grouped under the category of '*ilm*. It has already been argued by eminent historians such as Franz Rosenthal that *adab* is the most suitable mirror into the manners and mentalities of medieval Islamic society. He states that our knowledge of these societies "depends almost exclusively upon literary sources. […] These sources allow us to gain some perception in matters of social attitudes and morality."[15] In devising areas of research for writing the history of slave women, scholars have argued that *adab* texts, because of their descriptive nature, provide a more realistic portrayal of the restrictions that were imposed on slave women and of their actual roles and positions in society.[16]

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[13] Kecia Ali, *Slavery and Marriage in Early Islam* (Cambridge: Harvard University Press, 2010); Mir-Hosseini, "The Construction of Gender in Islamic Legal Thought,"; de la Puente, "Slaves in Al-Andalus,"; Brockopp, *Early Maliki Law*; Benkheira, "Un libre peut-il épouser une esclave,"; Blanc and Lourde, "Les conditions juridiques."

[14] Bray, "Men, Women, and Slaves," 134; Nadia Maria El-Cheikh, "Revisiting the Abbasid Harems," 1-19.

[15] Franz Rosenthal, "Fiction and Reality: Sources for the Role of Sex in Medieval Muslim Society," 3, 8 and 9. Rosenthal further notes that philosophical writings of ninth and tenth centuries did not address sexuality or at least were prone to a more ascetic and anti-marital trend. He suggests that the insistence on these matters maybe a reflection that this was not necessarily the case in urban society at large and that sexuality was a source of wariness and anxiety among the philosophers.

[16] El-Cheikh, "Women's History," 136.

Adab describes slave women in 'common' domestic roles which may be grouped under three categories delineated in a statement attributed to the Umayyad caliph 'Abd al-Malik b. Marwan (d. 86/705) in which sexual pleasure is significantly dissociated from procreation. The caliph states that slave women are bought for one of three purposes: domestic chores, procreation, and pleasure.[17] Concubines are mainly situated in the private/domestic space of the households of the different urban classes. The *qiyān*, who occupied various positions and roles within the system of Abbasid female slavery are depicted in private as well as public or semi/public urban venues. At the lower end we find the pleasure girls of the numerous taverns of medieval Baghdad, and at the top the highly educated and sophisticated slave courtesans of the caliphal court. *Adab* discourse relating *akhbār* about 'common' concubines and singing girls offers a rich source of information regarding social attitudes towards slave women as well as social transformations in gender roles and gender relations following their integration to the general urban social fabric and more particularly to the urban household.

Scholars have further argued that the literary roles of slave women are as significant as their historical ones.[18] Medieval and modern thinkers often extend the lascivious image of the *qayna* depicted by al-Jahiz to all slave women. A closer reading of the classical sources shows, however, that the images of alluring slave women as a source of temptation is often paralleled by that of more circumspect slave women as

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[17] Ibn 'Abd Rabbih, *al-'Iqd*, 103.

[18] Gadi Algazi and Rina Drory, "L'amour à la cour des Abbasides: un code de compétence sociale," *Annales: Histoire, Sciences Sociales* 55 (2000): 1271.

symbols or models of loyalty. The concomitance of these contrasting images of and attitudes towards slave women in *adab* narratives are interpreted as a reflection of an emerging cultural ethos among the urban male population and more specifically among the elite or the *khāṣṣa* who instrumentalized slave women to delineate the boundaries of a masculine ethics in the making. They reflect a concern for the cultivation of the masculine self through a rethinking of what was considered proper or commendable attitudes towards sexual pleasure as well as towards the exercise of power and authority in the delineation of gender roles and gender relations.

In what follows, I investigate the representations of common and elite concubines and *qiyān*, in a selection of *adab* texts from the third/ninth and fourth/tenth centuries, namely, the 'chapter' on women in Ibn 'Abd Rabbih's anthology *al-'Iqd al-Farid*, the 'chapter' on lovers in al-Tanukhi's *al-Faraj ba'da al-Shidda*; al-Jahiz's *Risalat al-Qiyan*, and al-Isfahani's *al-Qiyan* and *al-Ima' al-Shawa'ir*, this chapter argues that these texts used the juxtaposition of contrasting images of concubines and *qiyān* as sources of temptation as well as symbols of loyalty as a literary device and a rhetorical tool for the delineation of a Muslim ethical attitude towards pleasure. This ethics of pleasure was further intrumentalized to construct a masculine code of conduct regulating men's sexual relations with women as well as relations of power with other men. The chapter begins with an overview of the historical context in which these works were produced and discusses the difficulty and pertinence of using *adab* texts as a historical source for investigating the representations of slave women and more specifically their impact on the delineation of ethical sexual roles. The argumentation is

based on the investigation of the aforementioned selection of biographical compilations with the attempt to answer the following questions: What is the terminology used in *adab* discourse in reference to these 'categories' of slave women? How does the use of concubines and *qiyān* as symbolic and literary tools inform us about an emerging masculine ethics of pleasure and the exercise of power in the third/ninth and fourth/tenth centuries? How does this ethics of pleasure shape the sexual relations of free men with slave (and free) women?

A.   The Historical Context and the Significance of the *Adab* Genre

It was mainly in the course of the third/ninth century that the *adab* genre crystallized and was codified into a variety of textual discourses that "centered on man, his qualities, his passions, his pleasures as well as the material and spiritual culture created by him."[19] This codification, however, was not purely pragmatic. It took place in a period of great social transformations and political instability. Julia Bray suggests that in the course of the third/ninth and fourth/tenth centuries, "the *udabā'* perceived themselves as architects of a civilization and guarantors of its survival in the teeth of political upheavals."[20] As leaders, thinkers and intellectuals they felt the need to turn to the past for a cultural heritage that would preserve society from political disorders and their ensuing threats to the security and economic welfare of society.

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[19] Shawkat Toorawa, *Ibn Abi Tahir Tayfur and Arabic Writerly culture: A Ninth Century Bookman in Baghdad* (London: Routledge, 2005), 124; George Schoeler, *The Genesis of Literature in Islam, from the Aural to the Read,* trans. Shawkat Toorawa (Edinburgh: Edinburgh Press, 2009), 122.

[20] Bray, "Men, Women, and Slaves," 121.

The instauration of the Abbasid dynasty in the second/eighth century had favored the crystallization of a number of structural changes underlying the formative period of Islamic history. The new capital Baghdad was rapidly transformed into a thriving metropolis centered on the caliphal court in which was concentrated much of the fabulous wealth of the sprawling empire. The Abbasid caliphs adopted a lifestyle very different from that of the itinerant Umayyad caliphs and their desert castles. They led a resolutely urban and settled way of life and lived increasingly more secluded in their palaces. These changes were paralleled by a shift from a tribal and nomadic society to one that was becoming more urban in character and where the family gradually replaced the tribe as the basic social unit. These changes triggered the rise of 'individualism' in a society where social norms superseded individual needs.[21] The emergence of the highly educated *qiyān* as a prominent and distinctive element of court culture was a reflection of these economic and social changes. Their sulfurous reputation and the great sums of money for which they were bought turned them into the target of a rising pietist movement.

The third/ninth century witnessed a particularly tense social atmosphere which pitted the pious leadership and their supporters among the urban masses against the ruling elite. The religious leaders chose to target the *qiyān* as well as the activities to which they were associated, namely music and singing, as agents of moral depravation.

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[21] Michel Foucault, *The Care for the Self*, *The History of Sexuality*, trans. Robert Hurley (New York: Vintage Books, 1988), vol.3, 42. Foucault expands on the different meanings that 'individualism' may evoke. The third category which he describes as "the intensity of the relation to self, that is, of the forms in which oneself is called upon to take oneself as an object of knowledge and a field of action, so as to transform, correct and purify oneself and find salvation" seems to bear a significant similarity to the situation in which the *udabā'* found themselves during the ninth and tenth centuries.

Risalat al-Qiyan written by al-Jahiz in the third/ninth century presents the iconic portrait of the alluring and deceitful *qayna*, and may thus be apprehended in part as a response to the controversial status of the *qiyān* and their strong impact on the collective subconscious.[22] In the course of the following century, the qur'anic injunction of commanding right and forbidding wrong was used by opponents of the caliphate to legitimize the arrest of *qiyān* in the streets of Baghdad. Hostilities against singing and music included attacks on the quarters where musicians lived and worked. The Ḥanābila harassed singing girls and broke and musical instruments.[23] By doing so the piety minded scholars engaged themselves in tracing the boundaries of Muslim cultural propriety.

The *adab* genre embodied the culture of the elite or the *khāṣṣa* as opposed to that of the common people or the *'āmma*. Scholars argue that what seemed to fundamentally distinguish the *khāṣṣa* was possibly wealth but more fundamentally *adab* which could be acquired through self-education and not necessarily through attendance of *adab* institutions of learning such as literary *majālis*, bookshops or government chancery schools.[24] One version of the narrative relating the visit of the Byzantine ambassadors in 917 to the Caliphal Palace (*Dār al-Khilāfa*), may be interpreted as a

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[22] El-Cheikh, "Women's History," 135.

[23] Mughni, "Hanbali movements in Baghdad," 250. Ibn al-Athir, *al-Kamil fi al-Tarikh* (Beirut: Dar Sader li-l-Tibaʻa wa-l-Nashr, 1965), VI, 234.

[24] M. A. J. Beg, s.v. "al-Khassa wa-l-ʻAmma," *Encyclopaedia of Islam*, Second Edition; Makdisi, *The Rise of Humanism in Classical Islam and the Christian West* (Edinburgh: Edinburgh University Press, 1990), 60-66.

metaphor of the Abbasid court as an educational 'crucible' which transforms commoners or the *'āmma* into refined and civilized connoisseurs in the ways of the elite or the *khāṣṣa*. It also offers an example of the correspondence between material and literary culture. The terms elite (*khāssa*) and common people (*'āmma*) were used not only to refer to social groups but also to designate specific entry ways or gates. The Byzantine ambassadors begin their visit of the Palace through the Commoners' Gate (*Bāb al-'Āmma*) and leave it through the Elite's Gate (*Bāb al-Khāṣṣa*) as if the tour of the palatial complex was a sort of *parcours initiatique* which gave them access to the culture of the court. Leaving through the Elite's Gate (*Bāb al-Khāṣṣa*) signified that their visit had endowed them with the type of 'knowledge' required to adhere to the elite. Actually if we analyze the succession or chronology of the types of spaces that the ambassadors go through we realize that they are very symbolic. The ambassadors begin their journey by entering the caliph's stables. The medieval aristocracy travelled on horseback. This first stop in a sense indicates that the caliph is about to take the ambassadors on a special journey. Their second stop is a garden with wild beasts (the zoo). This may be perceived as a representation of nature in its savage state which, however, has been tamed by the caliph since he was able to transpose it within his urban palatial complex. For their third stop, the 'wild' is followed by a peaceful garden, free of beasts, with palm trees and a pond which is in turn succeeded by the House of the Tree which reflects the degree of sophistication reached by the court in its ability not only to imitate but even to surpass nature. The ambassadors are then taken to a palace called the Palace of Paradise (*Qaṣr al-Firdaws*), paradise being the ultimate garden.

This one, however, is manmade. Inside the palace, the best of urban material culture is displayed: decorative objects such as rugs and other ornaments followed by the arsenal of war such as shields, helmets, and coats of mail. The whole is guarded by thousands of servants white and black. The variety of races again indicates the scope of the territories controlled by the caliph. The Palace of Paradise is a transitional place leading from the tamed world of nature to the tamed world of men. The hierarchy of gardens is now followed by a hierarchy of palaces and men. The humble guards are followed by pages, chamberlains, footmen, troops, and the young sons of generals. The ambassadors are finally led to, the Palace of Peace (*Dār al-Salām*) which in turn gives them access to the Crown palace (*Qaṣr al-Tāj*) with the crown evoking the zenith of the journey where they are finally able to greet the caliph and his five sons. Coming into direct with the caliph, infers admittance into his private entourage, in other words to the elite (*khāṣṣa*) and to his court.[25]

 Adab and *udabā'* were not, exclusively associated with the caliphal court. An *adīb* could achieve this status by being an autodidact as was the case of Ibn Abi Tahir Tayfur.[26] Furthermore, Makdisi argues that the *khāṣṣa* included both the *adīb* and the *'ālim* despite their possible ideological differences. Makdisi clearly points out learning *adab* especially grammar, lexicography and philology often constituted a pre-requisite

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[25] Hilal al-Sabi', *Rusum Dar al-Khilafa*, ed. Mikhail 'Awad (Baghdad: Matba'at al-'Ani, 1964), 11-13; Hugh Kennedy, *The Court of the Caliphs,* 153-155.

[26] Shawkat Toorawa, "Ibn Abi Tahir Tayfur versus al-Jahiz, or: Defining the *Adib*" in *'Abbasid Studies: Occasional Papers of the School of 'Abbasid Studies Cambridge, 6-10 Juy 2002,* ed. James E. Montgomery (Leuven: Peeters Publishers, 2004), 247-261.

for the study of the religious sciences.[27] Men such as Ibn Qutayba (d. 276/889) and al-Tanukhi (d. 384/994) were well versed in both *adab* and *'ilm*. Certain *udabā'* such as Ibn Abi l-Dunya (d. 281/894) engaged in *adab* with a traditionalist inclination in terms of their cultural values. One could study *adab* without studying *'ilm* whereas certain branches of *adab* were used as an introduction for *'ilm*. Consequently, different layers of urban Islamic culture co-existed and interacted, namely profane elite court culture, profane urban culture, pietist bourgeois culture as well as a popular urban culture.

What would distinguish more fundamentally an *adīb* from a *'ālim* was not just the fields of knowledge that he mastered but also the emphasis or the weight that he attributed to the rigorous application of religious duties; the importance accorded to reason and the 'foreign sciences' as opposed to tradition or authority and the emphasis on a man's life on earth as opposed to the afterlife and obtaining salvation.[28] This distinction rendered the attitude towards love and pleasure in all of its various kinds one of the main differences between a *'ālim* and an *adīb*.[29] In medieval Islamic culture, slave women and more particularly the *qiyān*, were perceived as embodiments of sensual pleasures which were visual, through their physical beauty; auditory, through their musical and poetic skills; physical, through their sexuality, but also intellectual and

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[27] Makdisi, *The Rise of Humanism*, 97-109.

[28] Susanne Enderwitz, s.v. "Adab and Islamic Scholaship in the Abbasid Period," *Encyclopaedia of Islam*, Third Edition.

[29] James Bellamy, "Sex and Society in Islamic Popular Literature," *in Society and the Sexes in Medieval Islam*, ed. 'Afaf Lutfi al-Sayyid Marsot (Malibu: Undena Publications, 1979), 23-42; Lois A. Giffen, *Theory of Profane Love among the Arabs*, *the Development of the Genre* (New York: New York University Press, 1971).

'spiritual' through their eloquence and their ability to trigger love in the hearts of men. Consequently, the representations of slave women and the attitudes to adopt towards them in matters related to love and pleasure were one of the central underlying themes of *adab* and '*ilm* and one of the means through which different understandings of appropriate ethical Muslim behavior were articulated.

Julia Bray draws a parallel between the predicament of the men of the Abbasid elite in the third/ninth and fourth/tenth centuries and that of the elite in the early Roman Empire.[30] As it was described by Michel Foucault who in *The Care of the Self*. Foucault suggests that […] if one wishes to understand the interest that was directed in these elites to personal ethics […] it is not at all pertinent to speak of decadence, frustration or sullen retreat. Instead one should see in this interest the search for a new way of conceiving the relationship that one ought to have with one's status, one's functions, one's activities and one's obligations. […] The new rules of the political game made it more difficult to define the relations between what one was, what one could do and what one was expected to accomplish."[31] In a similar vein, in the face of structural social and political changes, the need to develop new codes of personal conduct was increasingly felt among the members of the urban elite.[32] They grew increasingly wary of excessive indulgence in courtly pleasures and engaged in developing a set of ethical values and a code of conduct that would help them safeguard their position at court. The

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[30] Bray, "Men, Women and Slaves," 121.

[31] Foucault, *The Care for the Self*, 84.

[32] Bray "Men, Women and Slaves," 139. Bray describes these changes in male identity as shifting from mainly Arab fighters, pioneer settlers or pensioners of a military machine into an ethnically mixed Abbasid male civilian who when literate pursued mostly a professional career as a state civil servant.

boundaries which were being set by the 'ulama' could not be easily transcended by

adab culture. Any trespassing ran the risk of being perceived and represented as cultural

treason.[33] This newly emerging masculine self was constructed in part by rethinking its

understanding of the ties linking free men to slave and free women in the urban

household as well as at the caliphal court, within the boundaries set by religious

discourse.

The relative absence of free women from the 'public/masculine space' in

addition to the norms of social propriety turned the *jāriya* and the *qayna* into the

privileged feminine interlocutors for discursive inquiry about the masculine self.

Indeed, Rina Drory describes the Abbasid court as a 'cultural laboratory' where the love

for slave women was used to develop the self-discipline needed to produce a successful

courtier.[34] The members of this class were primarily involved in producing and

cultivating manners, attitudes and discourses which aimed at asserting a common

identity along with their political and cultural allegiance to the caliphate. What was

produced at the court in Baghdad and Samarra was then reproduced in the provincial

centers. Janet Nelson points to the particular role of court women in "the reproduction

as well as the formation of courtliness, for the gendering of space and for a remodeling

of aristocratic male psychology."[35] Bray also states that "in the romantic literature, the

luxury female slave plays a more complex role which is cultural, ethical even […]. She

is not a courtesan but a soul mate, who educates her lover in monogamous love. […]

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[33] Marshal Hodgson, *The Venture of Islam,* 445.

[34] Algazi and Drory, "L'amour à la cour des Abbasides," 1271.

[35] Janet Nelson, "Gendering Courts in the Early Medieval West," in *Gender in the Early Medieval World*, 186.

These imaginative models were one of the means through which free men could reflect on their own moral identity and on what constituted tolerable relations of power."[36] Mohammad Ferid Ghazi describes refinement (*ẓarf*) along with ideals of chivalry and manhood (*futuwwa* and *muruwwa*), as a key concept for understanding the ethical ideals that structured social conduct and social relations in medieval Islam and more specifically during the early Abbasid period. Ghazi describes *ẓarf* as an inherent characteristic of the elite or the *khāṣṣa* that fundamentally distinguished it from the commoners or the *'āmma*. Ghazi further notes that the meanings attached to the concept of *ẓarf* underwent a number of transformations from the eighth/second to the tenth/fourth centuries. These changes revolve mainly around ideal attitudes and codes of conduct as well as dress and gastronomy. Significantly, he notes that by holding literary salons or setting off fashion trends women and more specifically slave women held an important role in constructing the different meanings that *ẓarf* acquired through time.[37]

B.   *Adab* as a Source for the History of Slave Women

Historians have argued that *adab* is a difficult and at times a treacherous source for historical inquiry. The difficulty resides mainly in determining the nature of the relation linking *adab* narratives to social and historical reality as well as in gaining a better understanding of the formal characteristics of the *adab* genre. Historians point out, for example, that *adab* discourse is often repetitive and not mindful of

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[36] Bray, "Men, Women, and Slaves," 137.

[37] Mohammed Ferid Ghazi, "Un groupe social: "les raffinés" (*zurafa'*)" *Studia Islamica* 11 (1959): 39-71.

chronology.[38] Bilal Orfali states that the difficulty faced by scholars in their attempt to define the formal characteristics of the *adab* genre arises in part from "the fact that the concept of *adab* was not defined as a genre or even as a type in the classical sources." He notes that anthologies which represent a widely recognized subtype of the *adab* genre were not referred to by a single term but by a multiplicity of appellations such as *majmūʿ, dīwān, ḥamāsa*.[39] Gabrieli suggests that the evolution in form and substance of the genre in the formative period of Islamic civilization reflects in many ways the transformations undergone by the early Muslim polity from a territory co-extensive with the Arabian Peninsula and governed by the Prophet from Medina to the vast empire of the Abbasids governed from their new capital city Baghdad.[40] Hilary Kilpatrick suggests that the complex of meanings that surround the term may be explained by the fact that *adab* kept accumulating new meanings over time without shedding old ones.[41] She adds, however, that a constant throughout the evolution of the meaning of the term

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[38] Chase Robinson, *Islamic Historiography*, (Cambridge: Cambridge University Press, 2003), 15. Robinson does not include *adab* in his monograph on Islamic historiography because it is not mindful of chronology.

[39] Bilal Orfali, "A Sketch Map of Arabic Poetry Anthologies up to the fall of Baghdad," *Journal of Arabic Literature* 43 (2012): 29-59.

[40] Gabrieli, s.v. "Adab," *Encyclopaedia of Islam*, Second Edition. In pre-Islamic times *adab* was synonymous with sunna and referred to the "hereditary norm of conduct and custom" of the Arabs which was transmitted by ancestors mostly in the form of proverbs, poetry anecdotes, as well as *ayyām* narratives.[40] These various types of discourse were, in part, means for recording and transmitting norms of behavior for future generations. The Muslim conquests brought about exposure to foreign cultures through territorial expansion triggering yet another evolution in the meaning of the term. The integration of non-Arab officials as well as a large non-Arab urban population into the emerging Islamic state was accompanied with the introduction into Arab/Islamic culture of values and moral precepts of mostly Persian, Hellenistic, and Judeo-Christian origin. Throughout its multiple variations and mutations, *Adab* retained three fundamental components namely its association with fields of knowledge or cultural production, values and codes of conduct.

[41] Hilary Kilpatrick, "Adab," *Encyclopedia of Arabic Literature*, 1998, 54-56.

is a concern for what a specific group at a specific time perceived to be its own ideal and distinctive social behavior or code of conduct.

Bray brings into focus the intrinsic character of *adab* discourse by comparing it to historical discourse. She argues that while Abbasid history is primarily concerned with events that shape the Muslim polity as a whole, *adab* focuses mainly on individual behavior and seeks to give meanings to the factors that shape the life of an individual. She adds that in the culture's self-description "*adab* is both polite learning and its uses; the improvement of one's understanding by instruction and experience; it results in a civility and becomes a means for achieving social goals."[42] Suzanne Stetkevytch describes it as the Arab Islamic equivalent of the Greek *paideia*.[43] El-Cheikh notes that *adab* discourse would only include what was considered to be the ideal norms and values of the time.[44] Indeed, *adab* discourse played an important ideological role in constructing, sustaining and reproducing what was conceived and perceived by its authors as ideal gendered relations, attitudes, and codes of conduct. It thus sought to gain a prescriptive dimension that not only shaped the thinking process of its readers but also their social behavior.

Historians have been striving to devise means to overcome the caveats of the *adab* genre and make it a suitable source for historical analysis. They argue that despite its repetitive nature, the specificity of a work of *adab* resides in the authors' "narrative

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[42] Bray, "Men, Women and Slaves," 130; Julia Bray, "Adab," *Medieval Islamic Civilization, an Encyclopedia*, 2006, 13-14.

[43] Suzanne P. Stetkevych, *The Poetics of Islamic Legitimacy, Myth, Gender, and Ceremony in the Classical Arabic Ode* (Bloomington: Indiana University Press, 2002), 144.

[44] Nadia Maria El-Cheikh, "*Adab* Literature: 9th to 13th Century," *Encyclopedia of Women and Islamic Cultures*, vol.6, 3-5.

strategies and literary techniques" which are mostly embedded in the ordering of the anecdotes as well in the choices regarding what to include or omit from the material available to the authors.[45] A large number of *adab* works take the form of anthologies, where the author is mainly a compiler of narratives varying in length from a couple of lines to a couple of pages. However, the *adab* genre accounts also for types of writing where the author gives free reign to his thoughts, often in the form of essays or *rasā'il*. The works studied in this chapter provide samples of both categories. *The Epistle of Singing-Girls* is written in essay form while *al-Ima' al-Shawā'ir* and *al-Qiyan* are examples of compilations of *akhbār* dealing with a specific topic. The works of Ibn 'Abd Rabbih and al-Tanukhi include subsections that deal more specifically with the matter at hand. Although the same quotations may be encountered in different texts, their significance may change according to context with the compiler giving "fresh insight to familiar material."[46] Consequently, it is by analyzing the strategies of the authors of *adab* discourse, namely the order in which the anecdotes are presented, what the authors chose to include or what they abstained from mentioning, what is stated through a slave woman's or a free woman's voice as opposed to a masculine one, that historical change may be exposed and that a hierarchy of values and ideal codes of conducts may be highlighted. *Adab* discourse may thus be investigated to construct a better appreciation of the social perceptions of slave women, of their integration to the family as well as of the ethical concerns of the authors of *adab* discourse regarding

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[45] Stefan Leder, "The Use of Composite Form in the Making of the Islamic Historical Tradition," in *On Fiction and Adab in Medieval Arabic Literature,* ed. Philip Kennedy (Wiesbaden: Harrassowitz, 2005), 125.

[46] Hilary Kilpatrick, "Some Late 'Abbasid and Mamluk Books about Women: A Literary Historical Approach," *Arabica* 42 (1995): 56-78.

gender relations, attitudes towards love and pleasure and what was considered proper

sexual behavior with slave women.

C.   Concubines and the Urban Household: Praising Matrimony and Containing Pleasure

The most generic term used by *adab* discourse to refer to a slave woman is that

of *jāriya*. *Ama* is less frequently used. That the term *jāriya* is used interchangeably to

refer to both free and slave young women and may reflect the lack of rigid social

stratification separating slave from free women as well as a socio-cultural tendency to

move away from terms which emphasize servile status.[47] The terms *mar'a* and the

plural *nisā'* are generally indicative of free women. The plural *nisā'*, however, may be

used to refer to 'womanhood' independently of status. When a slave or free 'maiden' or

jāriya acquires a particular social status, the terminology becomes more specific. For

slave women, the term *jāriya* is then often followed by another indicating a specific

status or a profession such as *jāriya mudabbira* or *jāriya mughanniya*. For certain

positions such as *umm walad* or *qahramāna* the term *jāriya* is simply dropped. The term

that clearly reflects the association of concubines and pleasure is the term *surrīyya* (pl.

sarārī). A *surrīyya* refers to a slave woman within the familial household with whom

the master has sexual intercourse for pleasure and not for begetting children.

Significantly, the term is seldom used in the works studied for this chapter. It appears

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[47] Goiten, "Slaves and Slavegirls," 2-3. Goiten makes this point when stating that the term *ghulām* gradually replaced that of *'abd* in reference to a young male slave.

only once in the title of a subsection of Ibn 'Abd Rabbih's chapter on women. Al-Tanukhi, however, does not use it in his chapter on lovers.

A concubine is generally referred to as a *jāriya* or more specifically as the *jāriya* of a specific man, for example 'Inan jāriyat al-Natifi. A slave woman trained in the arts of music, singing and poetry with the purpose of entertaining men is generally referred to as a *qayna*. However, when a *qayna* masters a particular artistic skill such as singing, the term *qayna* is followed by another term describing this skill such as *qayna mughanniya*. Certain slave women are referred to as *shā'ira* and not *qayna shā'ira*. This seems to imply that a slave woman could be a *shā'ira* without being a *qayna.* The licentious behavior associated with the *qiyān* may have encouraged the emergence of different categories of slave poetesses. The slave poetess al-Faḍl actually criticizes her lover for falling in love with a *qayna* and clearly does not perceive herself as a *qayna*.[48] A slave woman may hold more than one social position. 'Arib, for example, is referred to as a *qayna*, as well as a *mughanniya* or a *shā'ira*. Free women are often referred to by their *kunya* (a patronymic which takes the form of the Abu/the father or Umm/the mother of) or their name followed by their *kunya*, while slave women who lack a genealogy are mostly referred to by name only. Slave women who were born to slavery within the Islamic empire are called *muwalladāt* (pl. of *muwallada*). The 'symbolic' and

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[48] Ibn al-Mu'tazz, *Tabaqat al-Shu'ara' al-Muhdathin*, 426.

'cultural' significance of slave women is reflected in the metaphorical names that many of them bear such as Dananir, Ghadir, Qabiha or Hadiyya.

The narratives in al-Tanukhi's chapter entitled *On those who Faced Hardship in Love and were Delivered by God who Granted them their Loved Ones* and in Ibn 'Abd Rabbih's chapter entitled *On Women and their Attributes*, which belong respectively to the *adab* anthologies of *al-Faraj ba'da al-Shidda* and *al-'Iqd al Farid,* approach gender relations from different perspectives. The former takes unrequited love as its point of origin while the latter engages in examining women's characteristics from the most commendable to the most despicable. Yet, both express similar androcentric concerns. They demonstrate an awareness of the perceived potential dangers that legal and thus legitimate access to the sexuality of slave women through concubinage may hold for a man's happiness and the stability of the household. They further seek to devise a masculine ethical code of conduct in gender relations aimed at avoiding those pitfalls and insuring men's serenity and success in these matters.

An anecdote in al-Tanukhi's chapter on lovers transforms turning points in the relation linking a man to his potential slave woman, namely the time preceding her acquisition through a sale transaction and the period of longing following their separation, into moments of thoughtful reflection.[49] The anecdote is related to al-Tanukhi by Abu 'Abdallah al-Baridi (d. 333/944) a former vizier of the Abbasid caliph al-Muttaqi (329-333/940-944). Al-Baridi recounts a passion he developed for a singing

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[49] G. J. H. van Gelder, "Slave-Girl Lost and Regained: Transformation of a Story," *Marvels and Tales* 18 (2004): 202-217.

girl during the reign of the Abbasid caliph al-Muqtadir (d. 320/932) which leads him to write her mistress about his desire to buy her. The mistress asks for three thousand *dīnārs*. Al-Baridi asks himself about the motivations behind his desire to buy a slave woman and thus implicitly interrogates the needs and emotions instigating his action.[50] This 'key moment' of choice and decision-making opens a literary space of discursive thought in which a hierarchy of values and codes of conduct are considered. That this internal questioning was triggered by a slave rather than a free woman is favored by the woman's servile status which grants her potential owner a position of legal ownership and thus the possibility to exercise his power and authority with a margin of liberty which was not possible with the free. His relationship with the latter was bound by limits set by social and familial propriety. However, despite his margin of action and choice, the man is represented showing clear awareness that this legal capacity to act may have unwarranted consequences. Many anecdotes dwell on the detrimental consequences of concubinage. These include spending much money and becoming destitute; depriving a family of their needs; as well as losing one's profession and friends. Reflecting on whether he should buy the slave woman, al-Baridi comes to the conclusion that he will eventually get bored with the *jāriya* and so refrains from buying her.[51] His projected potential boredom implies that he is acquainted with slave women and has come to realize that the pleasures that one enjoys with them eventually fade. The temporary and evanescent nature of these pleasures is thus suggested. Al-Baridi exerts self-restraint and abstains from buying the slave girl.

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[50] Al-Tanukhi, *al-Faraj*, 310-315.

[51] Ibid., 310.

In the meantime the slave woman is bought by al-Muqtadir and al-Baridi realizes that his longing for her is not as temporary as he thought. Her absence gradually prevents him from attending to his professional duties. His friends are very disappointed with his behavior. He is severely admonished and he is about to lose his position when he again exerts self-control and forces himself to overcome his hardship and re-engages in his professional responsibilities and succeeds at regaining respect and appreciation at court and among his friends. When the al-Muqtadir is informed of al-Baridi's predicament, he decides to offer him the singing girl. Al-Baridi's is finally reunited with the slave women who remains in his house until her death. Al-Baridi's double engagement in self-restraint and resilience allows him to gain better knowledge of himself. His ability to abstain from what he first perceived as a temporary pleasure as well as to overcome his sadness eventually allows him to realize that the slave woman can become a source of long lasting happiness if he approaches her not as a temporary source of pleasure but as a long term companion.

Indeed, many anecdotes in al-Tanukhi's chapter on lovers end with an implicit endorsement of lasting loyalty to one's partner. The relationship is often described as enduring until the death of the slave woman. In fact, in many anecdotes, monogamy appears as the preferred practice whether through concubinage or marriage. Significantly, narratives of unrequited love are not limited to a free man and slave women but can also take place between a free man and a free woman or even between a free man who is temporarily ignored by the wife that he loves. The anecdote is related to al-Tanukhi by the secretary (*kātib*) Abu Qasim who tells the story of a friend of his, who loved his wife dearly. With time they gradually grew aloof until his wife decided to lock the door to her living quarter preventing her husband from visiting her and asked

him for a divorce. The husband spends three days and three nights crying at his wife doorstep until she finally gives in and comes out to meet him with singing girls and freshly cooked dishes. [52] The implication of this choice is that the code of conduct that insures a man's needs and serenity in gender relations is to a large extent independent of the status of the woman involved. This is also illustrated by the fact that in some anecdotes men choose to leave their wives for a slave woman while in others the slave woman is abandoned in favor of the wife. These narratives express primarily a masculine concern with the factors motivating men's engagements with women and with the consequences of those engagements, regardless of the women's status.

In a similar fashion, Ibn 'Abd Rabbih, follows an ambivalent rhetoric regarding free women which consists in granting them character traits which are symbolically associated with feminine slavery with some traits qualifying as subversive and others as desirable. This strategy prevents the establishment of a clear dichotomy between slave and free women and shifts the focus of discourse from one about status to one about values and conduct. Beauty and obedience are traits which are closely associated with two iconic images of slave women: the beautiful singing girl who knows how to use her charms in deceitful amorous behavior and the obedient servant who is loyal to her master's needs.

In the introductory passages to his chapter on women, Ibn 'Abd Rabbih opposes the obedient woman to the beautiful one. He quotes Solomon describing the wise woman as the one who knows how to maintain harmony and unity in her

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[52]. Al-Tanukhi, *al-Faraj*, 426-428. Al-Tanukhi also relates the story of a man who is in love with his cousin, 306-308

household and the foolish one as the one who tears it apart adding that the obedient woman is worthy of praise whereas the beautiful one is mostly a source of conflict.[53] The narratives implicitly associate obedience with wisdom, beauty with conflict (*fitna*) and oppose obedience to beauty. The beautiful (slave) woman, without being explicitly mentioned, looms as a potential threat to the stability of the household. Significantly, the association of obedience with servility is explicitly mentioned, soon after, when on the eve of her wedding night, a mother symbolically counsels her daughter, to 'be a slave to her husband', in order for him to 'be her slave.'[54] Despite its association with servility, obedience is presented as a highly appreciated value and mode of behavior which does not distinguish the free from the slave but qualifies as ideal feminine and masculine behavior regardless of status.

This blurring of boundaries between values and codes of conduct associated with slave and/or free women is again evoked when Ibn 'Abd Rabbih establishes a comparison between the institutions of marriage and slavery. 'Ai'sha the wife of the Prophet is quoted comparing marriage to a form of slavery and advising men to carefully look into whom they enslave their daughters to. Her words are echoed by those of Prophet Muhammad who declares: "I entrust you to care for your women for you hold them as your prisoners."[55] These narratives suggest that the differentiation between marriage and slavery and by extension between marriage and concubinage

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[53] Ibn 'Abd Rabbih*, al-'Iqd,* 82.

[54] Ibid., 85.

[55] Ibid., 86.

does not emanate from the legal status of the women concerned but rather depends on the manners and code of conduct that men follow to treat their female partners.

These narratives also allude to two different masculine codes of conduct: one that befits free wives and another that would be demeaning to them by transforming marriage into a form of slavery. Masculine behavior which is associated with slave women is not described as the proper way to treat slave women but rather as how not to treat free women. The implication is that the way men treat slave women is simply considered improper regardless of the status of women. What often appears as a 'double standard' regarding slave and free women is frequently (but not always) a rhetorical tool used to distinguish between what are perceived as ideal or desired feminine/masculine characteristics and improper or detrimental ones. The latter tend to be associated with slave women because it was possible to do so with moral impunity.

The unwillingness to establish a clear dichotomy between slave and free women is again reflected in expressing mitigated support for the institution of concubinage in the section entitled *surrīyya* and devoted to concubines. However, this projected image of the concubine as an object of sexual pleasure is gradually replaced by her image as a procreator of famous men. Moreover, the high social and religious standing of the men who practiced concubinage throughout history is emphasized. Concubinage is thus granted both religious and historical legitimacy. Hajar, Abraham's concubine is identified as having given birth to Ishmael (Isma'il) and Maria the Copt, the Prophet's concubine, is described as having given birth to his son Ibrahim.[56] In other

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[56] Ibid., 128.

words the legitimacy of the practice of concubinage is illustrated by men who practiced concubinage and were held as models of behavior to the Muslim community, namely the founder of monotheism, Abraham, and the founder of Islam, Prophet Muhammad, and by pointing to the noble descendants begotten from such unions.

Despite what appears as a support for the institution of concubinage, the very need to engage in arguments in favor of the practice is indicative of the ambivalence with which the practice was met into Abbasid times. While this discourse may be primarily aimed at vindicating the adoption of concubinage by the Abbasid caliphs, it implicitly gives a voice to the social concerns which emerged during this period for what was perceived as the potentially detrimental consequences that this institution may have on masculine sexual behavior and the institution of marriage. The legitimizing argumentation clearly locates concubinage as a practice taking place within the familial household with the purpose of begetting children and not as one where a man acquires a slave woman for sexual pleasure as the title of the section, *surrīyya*, seems to indicate.

Ibn ʿAbd Rabbih concludes this section with verses which ask not to inquire about the identity of a mother, since women were mere vessels with lineage being the appanage of the father. The concubine and the wife are no more than means to beget children and not prized objects of desire.[57]

The practice of concubinage by a married man entailed unavoidable tensions between the man and his female companions as well as between the wives and the concubines. That slave women as concubines had clearly entered the collective

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[57] Ibid.; Nadia El-Cheikh, "In Search of the Ideal Spouse," *Journal of the Economic and Social History of the Orient*, 45 (2002), 190-191.

subconscious is reflected through their occurrence in dreams.[58] Ibn ʿAbd Rabbih relates

an anecdote in which a man attempts to trigger his wife's jealousy by pretending to

develop a liking for his slave woman; the wife reacts by threatening to leave him. The

man's response is to beg his wife to remain by his side and to offer her the *jāriya* as a

gift, thus making her legally inaccessible to him.[59]

Al-Tanukhi relates an anecdote which shows a reversal of the preceding

situation. A man feels a strong attraction for his wife's *jāriya*. The wife finds out and

keeps the *jāriya* away from her husband. Consequently, the man suffers great hardship.

One night, he sees himself in a dream crying with the *jāriya* standing in front of him. A

person then approaches them and recites to him a number of verses. He wakes up fearful

and terrified and asks for a pen and a piece of paper to write down the poem. His wife

who was lying next to him wakes up, inquires about his troubled state, and listens to

him recounting his dream. She then says to him: "All of this because of the *jāriya*'s

love? I give her to you as a present."[60]

Put together, these anecdotes illustrate the role of the concubine as an actual

and symbolic source of anxiety and fantasy. In real life, the concubine poses a threat to

both the wife's and the husband's positions and thus to the stability of the household, as

is shown in the first anecdote. This threat is represented as entailing, at times, a decisive

choice between partners, revealing the intensity of the conflict that a concubine may

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[58] Dwight F. Reynolds, "Symbolic Narratives of Self: Dreams in Medieval Arabic Autobiographies," in *On Fiction and Adab in Medieval Arabic Literature*, ed. Philip Kennedy (Wiesbaden: Harrassowitz, 2005), 261-285.

[59] Ibn ʿAbd Rabbih, *al-ʿIqd*, 105-106.

[60] Al-Tanukhi, *al-Faraj*, 393.

trigger. The second anecdote, reveals through a dream, the situation that a man wishes

for in real life, namely for his wife to willfully grant him access to a *jāriya* that she

owns in order to make her legally accessible to him. The wife is represented as the main

obstacle in the realization of the fantasy as the man does not refer to her simply as his

wife but as the *jāriya's* master (*mawlātuha*). The solution to his dilemma lies in her

hands. These anecdotes show that men were very much aware of the difficulties

involved in combining pleasure through concubinage and marriage in one household.

As importantly, it also demonstrates a need or at least a desire for or an appreciation of

an ideal household devoid of conflict.

The fundamental difference between slave and free women does not reside,

however, in the different attitudes that men should adopt towards each, or in different

ideal images of free and slave women. Islamic law forbids the enslavement of Muslims

turning the absence of familial ties into the distinctive characteristic of a slave.

Conversely, the lineage of free women granted them their social status and social

standing. The illustration to this condition is provided by the Prophet Muhammad's own

household. When his concubine Safiyya complains to the Prophet of the disparaging

remarks she faces from his wives on account of her Jewish faith, the Prophet advises her

to truthfully tell them that Isaac is her father, Abraham her grandfather, Ismail her uncle

and Joseph her brother.[61] When the poet al-Farazdaq's (d. 112/730) wife complains to

her husband of the daughter begotten from his slave woman, he answers that if the latter

does not have a family to protect her, his daughter has her father and her uncle.[62] These

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[61] Ibn ʿAbd Rabbih, *al-ʿIqd*, 128.

[62] Ibid., 95.

anecdotes indicate that the main social stigma associated with female slavery was not expressed in terms of the slave women's improper conduct or immoral values but rather in their absence of lineage. In both anecdotes, men defend their concubines or the latter's children by pointing out to the lineage they acquire through their integration to the family or to a wider more 'cultural' or 'social' form of lineage derived from their belonging to a larger religious or 'national' community.[63]

Significantly, Ibn 'Abd Rabbih does not discuss sexual relations with women, both slave and free, in the sections dedicated to concubines or wives. The dissociation between concubines and sexuality is illustrated in the decision to treat sexual issues in a separate section entitled *On Sexuality and What Has Been Said about It*, located at the end of the chapter dedicated to women.[64] Ibn 'Abd Rabbih begins with a statement attributed to the jurist Malik b. Anas (d. 179/796) who presents a very positive description of sexuality comparing it to a "the light shining from your face […]" and leaving it up to the individual man to indulge in it or show restraint.[65] This rather engaging approach to sexual activity is mitigated by a saying attributed to the Umayyad caliph Mu'awiya (d. 60/680) who states that he can immediately spot a man with a voracious appetite or *naham* for sexuality from the look upon his face. The term *naham* conveys a negative connotation which nuances Malik's supportive position. This mitigated attitude towards sexual behavior is then emphasized by the sayings of men

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[63] The social origin of caliphal concubines was one of the means through which caliphs built their diplomatic ties to 'foreign' communities.

[64] Ibn 'Abd Rabbih, *al-'Iqd*, 139-142.

[65] Ibid., 139.

such as the historian al-Mada'ini (d. 228/843) who describe themselves as able to control their sexual drives, even when women are made available to them.[66] These examples of sexual restraint in men towards women are then brought to yet another level with the stories of two men who find themselves impotent while trying to engage in sexual intercourse with slave women. This inability to achieve intercourse is either attributed by the men themselves to old age or to a certain incompatibility.[67] This may also be a reflection of the fact that while a man's sexual performance with his wife is indicative of his social or public persona, and so a source of shame, his impotence with a *jāriya* is perceived as a purely 'technical' deficiency.

While the first part of this subsection is dedicated to men's attitude towards sexuality, the second part engages in describing women's sexuality which, in many ways, illustrates what Ziba Mir-Hosseini refers to as the classical Islamic "theory of difference in male and female sexuality."[68] According to this view, women, whether slave or free, have greater sexual desire than men. A number of anecdotes show women requesting of their husbands more than they can give. A man who insists on being married to two women is advised to begin with one and quickly acquiesces having been married for three days. Interestingly, the only identified woman engaging in vigorous sexual intercourse is 'A'isha bt. Talha, a famous Arab free woman and daughter of one of the Prophet's companion Talha b. 'Ubaydallah (d. 36/656). The anecdote is presented as "what has been said about 'A'isha bt. Talha who was renowned for her beauty and

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[66] Ibid.

[67] Ibid., 140.

[68] Mir-Hosseini, "The Construction of Gender," 10.

the attraction she could exert on men." The danger or *fitna* associated with beauty is again implicitly evoked. A woman from Kufa visits her and is told that 'A'isha is in the company of her husband. The visitor then listens to moans and sighs the likes of which were never heard before. Eventually 'A'isha comes out her forehead dripping with sweat. The woman from Kufa tells her that she did not think that a free wife could act in this manner. 'A'isha answers: "those horses of noble breed drink boisterously." In other words 'A'isha justifies her behavior as aiming to answer to her husband's needs and not the fruit of her own initiative. The story is a reminder that the proper attitude of free wives during intercourse is to show restraint and that the possibility to cross that limit can only be gained through the husband's willingness to allow his wife to do so.

The feminine voices 'heard' in this subsection are used to express what appears as the men's unwillingness to take heed of their needs. The only time a *jāriya* is made to speak, it is to deprecate the sexual performance of her partner. As for the free women, they mostly 'express' a need unfulfilled by their husbands. When a man complains to 'Ali b. Abi Talib about the fact that his wife keeps protesting that he overburdens with her sexual needs, he is advised to do away with her.[69] The responses granted to these complaints however, do not convey a concern for feminine needs. Both women's excessive and/or lack of sexual desire are decried. Women voices are quoted but not heard. A woman, slave or free, is primarily meant to respond to her owner or her husband's needs.

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[69] Ibn 'Abd Rabbih, *al-'Iqd*, 143.

Ibn 'Abd Rabbih's concluding remarks present a sort of synthesis of the different situations depicted throughout the subsection. Men are advised to engage in intercourse in order to satisfy their own needs and not those of their wives. Fulfilling their needs moderately and exercising restraint in sexual intercourse allows men to stay in good health. Seeking to meet the sexual needs of women, regardless of their free or servile status, can only lead to a loss of sexual capacities. Ibn 'Abd Rabbih concludes with a saying which states that the animal world teaches us that male animals with a long life such as the mule do not have much intercourse while those who do, such as birds, have very short lives.

Both Ibn 'Abd Rabbih and al-Tanukhi express straightforward support to the institution of marriage and a more cautious one for the institution of concubinage. However, they both implicitly argue that what differentiates marriage from concubinage does not reside in the institutions themselves but rather more fundamentally in how men treat their female partners. They propose that regardless of the nature of the institution of companionship that a man chooses to follow, his happiness and his serenity in gender relations ultimately rests in the code of conduct that he chooses to follow in gender relations. In other words, while both marriage and concubinage may be apprehended as commendable matrimonial relations, there is only one ethical way of treating women regardless of their status. In order, however, to distinguish proper behavior from improper demeanor, the masculine attitudes adopted towards free women are presented as the commendable ones while the behavior that men tend to adopt towards slave women are described as demeaning to free women but more fundamentally as detrimental to a man's happiness and to the stability of his household. What

distinguishes slave from free women is not expressed in terms of a difference in moral standard but in the absence of lineage that deprives slave women from gaining a certain social dignity. Concubinage, however, gradually compensates for this absence of lineage by integrating the slave women into the family, granting, if not herself, her children full social membership through their father's lineage.

Adab discourse seems to endorse the position that the 'ideal' proper masculine behavior towards women should be the same regardless of a woman's status. This attitude does not necessarily emanate from a particularly high esteem that the *udabā'* held for women, but more fundamentally from a concern for masculine interests. It aims mainly at teaching men the proper behavior that avoids the pitfalls of gender relations and insures social success. This ideal code of conduct favors a cautious attitude towards pleasure, moderation and self-restraint towards sexual pleasures, resilience when facing adversity, loyalty to one's partner, as well as tendency to endorse monogamy. It also reveals the absence of strong social stratifications opposing slave and free women and reflects the porosity of the boundaries leading from slavery to freedom.

D.   The *Qiyān* in Elite *Majālis*: For a Circumspect Appreciation of Pleasure and Power

The Abbasid institution of female slavery transformed the elite or highly educated *qiyān* or slave courtesans into human commodities with an exchange value that depended mainly on cultural investment. Legalized control of a slave woman's sexuality, exemption from veiling, and access to leisure gatherings transformed her education in singing, music and poetry into a lucrative endeavor. The most striking part of al-Jahiz's *Risala* is unquestionably the eighteen clauses dedicated to the description

of the *qayna*. It enshrines the popular image of the slave courtesan as an embodiment of sensual pleasures, a model of immoral behavior, and a highly valuable commodity which could be legally bought and sold. Despite their prominent role at the courts of Baghdad and Samarra in the course of his lifetime, al-Jahiz does not make any reference in the *Epistle* to the famous *qiyān* of the period. The slave women that make up the subject matter of the epistle do not perform at the caliphal court but are located in the 'houses' held by their masters.

Al-Jahiz explains that the *qiyān* are educated in the arts of music, singing, and poetry. They have to memorize a repertoire of more than four thousand songs, each made of two to four verses. The subject matter of the verses all revolve around carnal pleasures such as "yearning, lust, desire and passion." They also receive a specialized training in mastering the arts of flirtation and seduction and have a wide arsenal of tricks by which to trap their hapless victim or victims. If they have more than one contender, they make each one believe that he is the chosen one. Al-Jahiz states:

> When one comes to consider a singing girl, three senses are involved; and [the pleasure] of the heart makes the fourth. The eye has the sight of a beautiful attractive girl; […] hearing finds its sole delight in listening to her voice, touching her leads to carnal desire and the longing for sexual intercourse. All these senses are there as if scouts for the heart. In the presence of singing girls a man experiences concurrent pleasures such as he would not find conjoined in anything else and the like of which the individual senses could never give him. Thus in consorting with singing girls lies the greatest temptation.[70]

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[70] Beeston, *The Epistle*, Arabic text, 17-18; translation, 31.

The *qayna's* feelings are depicted as insincere and deceptive. Her aim is to seduce men in order to have them spend their fortune and once that target is achieved abandon them. Passion requires several encounters and once it begins to take root, infrequency of meeting will only "serve to increase it and add fuel to its fire."[71] But the *qayna* is kept under the supervision of her owner in order to control the clients' access to her. The objective is to build up the clients' yearning to the point where purchase becomes necessary. Al-Jahiz includes a strikingly vivid depiction of the pleasures associated with the *qiyān* while warning his readers of the dangers involved in interacting with them. The impact of that description was such that it turned the *qayna* into the unavoidable focus of literary discourse on pleasures whether one wished to condone, refute or alter it.

Nevertheless, the elite among the singing girls were able to master the arts of poetry, music and singing to a high degree of professionalism which granted them the appreciation of famous poets and more importantly of the caliphs. The *qayna* was thus able to accumulate a cultural capital bestowing upon her an authority which at times superseded her reputation for licentious activities. This official recognition reinforced her ability to attract and exert a strong influence over men. This uneven yet reciprocal game of power and influence transformed the *qayna* into a highly polished instrument of pleasure particularly conducive for mediating hierarchies of power.

Al-Qiyan of al-Isfahani includes the following anecdote.

> An acrid exchange over a cup of wine irritates the
> [Abbasid] caliph al-Amin who leaves his uncle
> Ibrahim b. al-Mahdi anxious as to the intentions of
> the caliph. Attempts to conciliate al-Amin with

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[71] Ibid, 29.

graceful excuses are ignored. Ibrahim then sends to the caliph Hadiyya, a *qayna* whom he trained and taught to sing, as a gift. He equips her with a lute made of Indian wood and encrusted with jewels; a dress embroidered with gold, and teaches her a set of eulogizing verses to sing before the caliph. This time the caliph is pleased with the gift; he calls for his uncle whom he rewards with fifty thousand dinars and spends the rest of the day in his company.[72]

The sensuality of the *qayna* and her cultural capital transform her into a highly appreciated and very pleasurable gift. The expression of regret through the mediation of the *qayna*'s voice impresses and flatters al-Amin (193-198/809-813) and allows Ibrahim to regain the favor of the ruler. The slave courtesan flatters the masculine ego of the caliph and carries the potential to moderate the excesses of power. Pleasurable and cultural gifts were means through which ties of loyalty and positions of leadership were constructed.[73] They may be offered by caliphs to consolidate the loyalty of courtiers or by courtiers to secure the protection and favors of the caliph. Pleasure, embodied in a courtesan and offered as a gift, produced mutual appreciation at court and mitigated the full exercise of power. This in turn conferred upon the slave courtesan and the pleasures with which she was associated a legitimacy and an ethical dimension that they lacked.

Al-Isfahani's compilations *al-Qiyan* and *al-Ima' al-Shawa'ir* shift the attention of the reader away from the *qayna* and focus on the attitudes, values and conduct that the slave courtesans elicited among the members of the ruling elite. Pleasure and

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[72] Al-Isfahani, *al-Qiyan*, 101.

[73] Anthony Cutler, "Gifts and Gift Exchange as Aspects of the Byzantine, Arab, and Related Economies," *Dumbarton Oaks Papers* 55 (2001): 247-278.

politics share parallel themes such as promiscuity and betrayal on the one hand, monogamy and loyalty on the other. Consequently, narratives on pleasures associated with the *qayna* were transformed into means through which men reflected upon private and public ethical codes of conduct.

The slave courtesan as a source of treacherous temptation is embodied by 'Arib, one of the most famous *qiyān* of the Abbasid court. She is shown entering one of the rooms of the caliphal palace wearing a bandana[74] with an embroidered inscription stating, "More beautiful than the moon am I, God's temptation for mankind."[75] This depiction presents the image of a woman very conscious of her charms and powers of seduction as well as the potential for intrigue, tension and conflict. It implicitly reverberates the image of the *qayna* in Jahiz's Epistle. One of the courtiers declares that his tutor has warned him of the tricks used by singing girls to attract men and that he will not fall into her trap.[76] A servant is then asked to walk 'Arib out of the room. The courtier exerted self-restraint and rejected the *qayna's* advances. Temptation was thus contained.

Again self-restraint and moderation appear as key values in the exchange between the caliph al-Mutawakkil (d. 247/861) and two of his slave poetesses Banan and al-Fadl. Significantly, the story is related by Banan who states that during a walk in the palace courtyard, in her company and that of al-Fadl, the caliph addresses the latter

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[74] Making a slave girl wear a bandana embroidered with verses that express her feelings is a motif which is also used by Ibn al-Sa'i, *Nisa' al-Khulafa'*, ed. Mustafa Jawad, (Cairo: Dar al-Ma'arif, 643 H), 61.

[75] Al-Isfahani, *al-Qiyan,* 111.

[76] Ibid, 112.

by reciting the following verse: "Fear of her wrath taught me to be content; and my love taught her how to tame her anger." Fadl responded by saying: "When he rebukes me, I strive to respond smoothly; and when he moves away; I come closer with gentility."[77]

Loyalty is portrayed as the key to self-restraint. It is often expressed in terms of faithfulness to a master or to a lover which often extends beyond separation or death. The story of the *qayna*, Dananir al-Barmakiya, is an example of loyalty beyond death.[78] Having ordered the execution of her masters, the caliph Harun al-Rashid buys Dananir and insists on having her sing and detach herself from her former patrons. She, however, chooses to wear a coarse garment and is unable to overcome her sadness until she dies. The name of the *qayna*, Dananir, is the plural of *dīnār.* Her name and her attitude stand in contrast to each other. They create an opposition which only enhances the *qayna's* rejection of the pleasures of wealth for the sake of loyalty.

If the seductive *qayna* is often portrayed as a source of tension and anxiety, the loyal *qayna* prompts feelings of security and tranquility as is illustrated in the story of Tajni.[79] In this narrative, al-Isfahani is surprised by an unwarranted sum of five thousand *dinārs* sent to him by his patron al-Muhallabi. He cautiously asks his patron about the origin of the present. The latter explains that he had offered the money to al-Isfahani's *qayna* called Tajni upon listening to her sing verses praising the Buyid leader Mu'izz al-Dawla (d. 356/967). She had suggested, however, that the sum be sent as a

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[77] Al-Isfahani, *al-Ima'*, 121-122.

[78] Al-Isfahani, *al-Qiyan*, 83.

[79] Ibid, 131.

gift to her master. Al-Isfahani expresses his gratitude to his patron not only for the sum of money but also for clarifying the cause of the unwarranted gift. The *qayna* teaches her master a lesson in circumspection, gratitude and loyalty. This time the name of the *qayna* matches her behavior. Tajni means to harvest. Located at the very end of the monograph, this narrative provides a double sense of closure. It may be read as a token of gratitude to the *qiyān* for making the highly competitive and unstable milieu of the court more bearable; and more importantly for their roles as powerful and symbolic mediators in the cultivation of the masculine self.

E.   Conclusion

Slave women as mere concubines or *qiyān* were a distinctive feature of early Abbasid urban and elite court cultures, a manifestation of the growing urbanization and fabulous wealth of the early Abbasid Empire. Charles Pellat notes that the tenth/fourth century which witnessed the fragmentation of the Abbasid Empire and the decline of prominence of the caliphal court in Baghdad, marks also the decline of the (in)famous *qiyān* or slave courtesans.[80] These highly educated slave women formed an integral part of court culture and of a humanist cultural effervescence centered in part on man and his pleasures. This humanist movement concerned primarily the elite composed of court officials, civil servants and their entourage. The *adab* genre was the literary discourse that sought to construct the new social ethos triggered by these cultural transformations.

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[80] Charles Pellat, s.v. "Qayna," *Encyclopaedia of Islam,* Second Edition. Pellat states that after the tenth/fourth century we only hear of famous *qiyān* in the Andalus.

The controversial status of slave women is expressed in *adab* textual discourse by a growing concern for the potential threat that concubines and slave courtesans posed to social norms and values regulating sexual relations in the household as well as power relations at the caliphal court. If the distinction in social status between common and elite slave women must have been evident to the Baghdadi population, legitimate sexual accessibility to slave women, was one means through which concubines, regardless of their social position, became an element of fantasy through which the most humble had imaginary access to the lives of the rich and famous. It was the type of commodity that turned dreams into reality and granted gritty reality an eerie dreamlike feeling. The iconic portrait of the alluring and deceitful *qayna* put forth by al-Jahiz in *Risalat al-Qiyan* mirrors the contentious status of the slave women and their strong impact on the collective subconscious. *Adab* discourse reflects a need to construct a legitimate appreciation of sensual and sexual pleasures.

The third/ninth and fourth/tenth centuries were also witnesses to a growing pietist movement. Delineating ethical attitudes towards pleasures was a key element in religious and *adab* discourses on what constituted appropriate Islamic conduct. The representations of the concubines and the *qiyān* and the attitudes to adopt towards them were one of the means through which different understandings of a Muslim ethical appreciation of pleasure and masculine code of conduct were articulated. The religious scholars were increasingly perceived by the urban masses as the legitimate authorities for drawing the boundaries of Islamic propriety. The urban and ruling elite could not afford to follow norms that would be perceived as operating outside the bounds of appropriate Muslim behavior.

Ibn ʿAbd Rabbih, al-Tanukhi, al-Jahiz and al-Isfahani have produced books which seemingly addressed concubines and *qiyān* as their subject matter. Yet, a closer reading reveals a literary discourse which juxtaposes narratives depicting concubines and slave courtesans as sources of temptation to narratives describing them as symbols of loyalty. These contrasting depictions of slave women opened a literary space for a discourse aimed at constructing a masculine code of conduct based on an ethical appreciation of pleasure. This discourse endorsed loyalty to one's partner as well as to one's patron. It contested the perception of women, slave and free, as objects of sexual desire by emphasizing their role as producers of offspring. Adopting a stoic perspective, it advocated self-restraint and moderation in men's consumption of sexual pleasures as well as resilience in the face of sexual longing. Feminine sexuality was perceived as a potential threat that needed to be contained. Legitimate access to sexual pleasure remained a masculine prerogative. This emerging social ethos may be perceived as an attempt to maintain humanist ideals in the face of growing pietist concerns.

CHAPTER IV

ABBASID BIOGRAPHICAL COMPILATIONS: REVISITING THE BOUNDARIES OF SLAVE WOMEN'S CULTURAL ROLES

Biographical dictionaries have been described as a "unique product of Arab Muslim culture."[1] Their uniqueness lies in their socio-cultural approach to the history of the Islamic community as the contribution of 'social groups' (*ṭabaqāt*) of men and/or women to the production, preservation, and transmission of distinctive fields of Islamic culture. Scholars have thus argued that biographical dictionaries are fundamentally a form of historical composition which compiles the biographies of men and women perceived as repositories and transmitters of a distinctive Muslim cultural heritage.[2] The inscription of the biographies of a significant number of slave women in biographical collections extending from the second/eighth to the fourth/tenth century is thus indicative of an appreciation of their particular contributions to Islam's cultural legacy.[3]

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[1] Tarif Khalidi, "Islamic Biographical Dictionaries: A Preliminary assessment," *The Muslim World* 63 (1973), 55.

[2] H.A.R. Gibb, "Islamic Biographical Literature," in *Historians of the Middle East*, ed. Bernard Lewis and P.M. Holt (London: Oxford University Press, 1962), 54-58; Michael Cooperson, *Classical Arabic Biography: The Heirs of the Prophet in the Reign of al-Ma'mun* (Cambridge: Cambridge University Press, 2000), 1-23.

[3] The usage of the term biographical collections as opposed to biographical dictionaries is deliberate. Certain works such as *al-Aghani* is described by some as a work of *adab* and by others as a biographical dictionary.

The following tradition is cited by al-Bukhari (d. 256/870) in his *Sahih*. It relates the reaction of Abu Bakr, who, upon a visit to ʿAʾisha, finds her in the company of the Prophet and two other women singing accompanied by at least one musician, playing the flute.

> ʿAʾisha (*raḍiya allahū ʿanhā*) reported: Abu Bakr
> came to see me and I had two maidens (*jāriyatān*)
> with me from among the maidens (*jawārī*) of the
> Anṣār and they were singing what the *anṣār* recited
> to one another at the Battle of Buʿāth. They were
> not, however, singing girls (*mughanniyatayn*). Upon
> this Abu Bakr exclaimed: "What! the playing of this
> wind instrument of Satan in the house of the
> Messenger of Allah (*Salaam*) and this too on *ʿĪd*
> day?" upon this the Messenger of Allah (*Salaam*)
> said: Abu Bakr, every people have a feast and today
> is our feast.[4]

The hadith does not indicate the legal status of the women present. ʿAʾisha, the *muḥadditha*, is evidently a free woman. The status of the *jawārī* or 'women singing' is unclear. The term *jawārī* may refer to young free women as well as to slaves. ʿAʾisha distinguishes between 'women singing' and professional songstresses (*mughanniyāt*). ʿAʾisha's distinction as well as Abu Bakr's interjection and the Prophet's response reflect the polemics regarding music and singing. The exchange between the three characters of the passage reflects the controversy surrounding singing and suggests that

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[4] Al-Bukhari, *Sahih* (Beirut: Dar al-Ajiyal, 2005), *Kitab al-ʿIdayn*, # 952, p. 189.

the polemic was associated with the status of the performer and the context of the performance as much as with the activity of singing itself.[5]

This hadith, which evokes two feminine archetypes of Islamic culture, the *muḥadditha* and the songstress (*mughanniya*), encapsulates the main issues at stake regarding the legitimacy of feminine cultural roles during the formative period of Islamic history. By endorsing the (free) *muḥadditha* and pointing to the controversial status of the, slave and/or free, *mughanniya*, it raises the question of the role of gender and status as cultural referents in the construction of slave and free women's legitimate cultural roles.

The distribution of cultural roles among women in the early Abbasid period is often presented as one based mainly on legal status. Slave women are described as educated and performing in profane fields of cultural production namely poetry and song while some free women were granted an education in religious fields of knowledge notably, the transmission of hadith.[6] Scholars have noted that the *majālis* of poetry and song held by free and noble women such as Sukayna bt. al-Husayn and 'A'isha bt. Talha in early Umayyad times were taken over in the early Abbasid period by slave songstresses and poetesses such as 'Arib and 'Inan.[7] 'Abdelwahab Bouhdiba,

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[5] Amnon Shiloah, *Music in the World of Islam, a Socio-Cultural Study* (England: Scolar Press, 1995), 31-43; George Dimitri Sawa, "The Status and Roles of the Secular Musicians in the *Kitab al-Aghani* (Book of Songs) of Abu al-Faraj al-Isfahani (d.356/967)," *Asian Music* 17 (1985): 69-82.

[6] Asma Sayeed, *Women and the Transmission of Religious Knowledge in Islam* (Cambridge: Cambridge University Press, 2013), (pages); Mohammad Akram Nadwi, *al-Muhaddithat: The Women Scholar in Islam* (London: Interface publications, 2007), 22-51.

[7] Jean-Claude Vadet, "Une personnalité feminine du Hijaz au Ier/VIIe siècle: Sukayna, petite-fille de 'Ali," *Arabica* 4 (1957): 261-287; Bouhdiba, *La sexualité en Islam*, 106-109; Wajida al-Atraqji, *Al-Mar'a*

epitomizes this scholarly perspective. He states: "The enclosing of women, the relative

ignorance in which they were kept, almost never applied to the concubine. As a result

there is a double status of women in Islam, depending on whether she is oriented

towards matrimony (*nikāḥ*) or concubinage […] wives enjoyed the austerity of religious

knowledge, while the anti-wives indulged in the delights of artistic creation and

aesthetic inspiration! […]What […] led to the establishment of two opposed different

types of woman: the serious [*free*] wife and the ludic [*servile*] anti-wife."[8]

This representation of slave women's cultural roles reflects orientalist as well

as certain Abbasid depictions of Muslim slave women in addition to modern ideological

biases regarding the relevance of religion, music, and poetry as fields of cultural

production. The image Bouhdiba draws of care free and self-fulfilled concubines adopts

and conflates the orientalist pictorial representations of the odalisques as well as al-

Jahiz's depiction of the cunning and enticing *qayna*, to that of all slave women. The

highly educated and trained slave courtesans or *qiyān* formed a rather select group who

performed at the *majālis* of the caliphal court or those of wealthy notables among the

ruling elite who could afford them. Access to this group was very competitive.[9] It may

be safely surmised that most slave poetesses and songstresses did not belong to this

exclusive group. Moreover, Bouhdiba describes religious learning as un-gratifying for

free women. His implicit conception of what constitutes an 'ideal' or desired education

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fi Adab al-ʿAsr al-ʿAbbasi (Baghdad: Dar al-Rashid li-l-Nashr, 1981), 38; Teresa Garulos, "Women in Medieval Classical Arabic Poetry," in *Writing the Feminine, Women in Adab Sources,* ed. Manuel Marin and Randi Deguilhem (London: I.B. Tauris, 2002), 25-40.

[8] Bouhdiba, *Sexuality in Islam*, 106.The terms free and servile are not in the original text.

[9] Gordon, "The Place of Competition," 68-73.

reflects a certain modern perspective which favors secular rather than religious learning. There is no significant attempt on his part to understand how Islamicate civilization at a specific period of its history apprehended the cultural roles of slave and free women in the preservation, transmission and/or production of knowledge.

Scholarship investigating biographical compilations for a better understanding of the cultural roles of slave and free women has called into question the image of the marginalized free woman and the self-fulfilled slave poetess and/or songstress. More recently Ahmad Ragheb has shown that if *muḥaddithāt* were mostly but not exclusively free women, the successful ones among them were able to gain 'epistemic authority' and become the mentors of men who sought them as teachers and became their students. Religious education could thus become a source of prestige and enhanced social status for free women.[10] Hilary Kilpatrick has noted that the margins of self-expression and fulfillment of the slave poetess/songstress were often rather narrow.[11] Moreover, the biographies of a number of slave and free women nuance the depiction of the distribution of cultural roles as one based on legal status. 'Ulayya, the Abbasid princess daughter of the caliph al-Mahdi (d. 169/785) is known for having been an accomplished musician and singer.[12] Al-Tawhidi (d. 414/1023) states that he has counted 420 slave songstresses and 120 free women singers performing in al-Karkh without, however,

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[10] Ahmad Ragheb, "The Epistemic Authority of Women in the Medieval Middle East," *Journal of Women of the Middle East and the Islamic World* 8 (2010): 181-216.

[11] Hilary Kilpatrick, "Women as Poets and Chattels," 164-170.

[12] Kareem al-Heitty, "The Contrasting Spheres of Free Women and *Jawari* in the Literary Life of the Early Abbasid Caliphate," *al-Masaq* 3 (1990): 38.

describing the context in which these women were singing.[13] The slave women of the

Abbasid queen Zubayda were renowned for continuously chanting the Qur'an in her

palace throughout the day.[14] As for the famous slave woman Tawaddud, she was well

versed in all branches of knowledge and succeeded, in a competition organized by the

caliph Harun al-Rashid, at defeating ten scholars among them the famous Ibrahim al-

Nazzam.[15]

The compilations of biographical entries of Ibn Sa'd's (d. 230/845) *al-Tabaqat*

al-Kubra, Ibn al-Mu'tazz's (d. 296/908) *Tabaqat al-Shu'ara' al-Muhdathin*, al-

Isfahani's (d. 356/975) *Kitab al-Aghani*, and al-Khatib al-Baghdadi's (d. 463-5/1071)

Tarikh Baghdad show noteworthy variations in the choices made by their respective

authors regarding the categories of slave women whose lives were considered worthy of

a bibliographical entry. Two categories of slave women are clearly differentiated: on the

one hand, the slave women who were mainly servants and/or sexual partners but *not*

songstresses/poetesses, and on the other, the ones who in addition to being sexual

partners had received an education in poetry and song. The biographies of Barira,

'A'isha's slave servant as well as those of Safiyya, Rayhana, and Maria the Copt, the

slave concubines of the Prophet, were considered by Ibn Sa'd as worthy of distinct

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[13] Abu Hayyan al-Tawhidi, *Kitab al-Imta' wa-l-Mu'anasa* ed. Ahmad Amin and Ahmad al-Zein (Cairo: Matba'at al-Ta'lif, wa-l-Tahrir wa-l-Nashr, 1942), vol.2, p.183.

[14] Al-Heitty, "The Contrasting spheres of Free Women and *Jawari*," 33; Al-Tabari, *Tarikh al-Rusul wa-l-Muluk*, ed. M.J. De Goeje (Leiden: Brill, 1964), vol. 10.

[15] Julia Bray, "Islamic Cultures and Societies to the End of the Eighteenth Century," in *The New Cambridge History of Islam* (Cambridge: Cambridge University Press, 2010), vol.4, 392; André Miquel, *Sept Contes des Mille et Une Nuits* (Paris: Sindbad, 1987), 13-49; Guillaume, J.P., s.v. "Tawaddud," *Encyclopaedia of Islam*, Second Edition.

entries in his biographical dictionary *al-Tabaqat al-Kubra*.[16] More than a century later, the biographies of famous slave poetesses and songstresses from early Islam up to the fourth/tenth century made their way into Ibn al-Muʿtazz's *Tabaqat al-Shuʿara'* and al-Isfahani's *Kitab al-Aghani*. When al-Khatib al-Baghdadi wrote his *Tarikh Baghdad* in the fifth/eleventh century, out of the thirty-one women whose biographies he chose to include in his dictionary, three were slaves or of slave origin and none of them were poetesses or songstresses.[17]

In addition to providing an overview of the emergence of biographical dictionaries as a genre of historical writing and of the historical and cultural context in which they were compiled, this chapter calls into question the distribution of women's cultural roles as one based mainly on legal status. It argues that the authors of biographical compilations distinguished between two categories of slave women: on the one hand the concubine as a legitimate sexual partner and bearer of offspring and on the other, the *qayna* as a performer whether a poetess, a songstress or both, with each category responding to different conceptions of what constituted appropriate referents for a Muslim cultural heritage. It also proposes to revisit the conflation of the iconic representation of the alluring and self-fulfilled *qayna* to all slave poetesses and songstresses. It investigates the life of ʿInan as an example of the vicissitudes and obstacles that slave poetesses/songstresses had to face.

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[16] Ibn Saʿd, *al-Tabaqat al-Kubra,* ed. Muhammad ʿAbdelkader ʿAta (Beirut*:* Dar al-Kutub al-ʿIlmiya*,* 1968), vol.8, 201, 95-102, 102, 104, 170-174.

[17] Al-Khtatib al-Baghdadi, *Tarikh Baghdad* (Beirut*:* Dar al-Kutub al-ʿIlmiya*,* no date), vol. 14, 430-447.

The argument is based on the investigation of the aforementioned selection of biographical compilations with the attempt to answer the following questions: What was the conceptual framework of biographical dictionaries and in which cultural context did they emerge? What was the terminology used for the representation of slave women in this selection of biographical dictionaries? To what extent does the biography of 'Inan support or belie the image of the successful and self-fulfilled poetess? How does it inform us about the obstacles that hindered the social mobility of slave poetesses and songstresses as well as the opportunities that granted them a margin of autonomy and agency? What cultural referents legitimized the differentiation between the roles of slave women as concubines and their roles as performers of poetry and song? More generally, how does this distinction inform us on the interaction between slavery, gender, and cultural legitimacy?

A.   Biographical Dictionaries: a Genre of Historical Writing

Scholars investigating biographical dictionaries have focused on developing a clearer understanding of their conceptual framework by attempting to explain the evolution of the biographical genre as well as the motivations and inclinations of its authors.[18] Until recently, the emergence of biographical dictionaries as a genre was

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[18] Heffening, "Tabaqat," *Encyclopaedia of Islam*, First edition; Claude Gilliot, "Tabaqat," *Encyclopaedia of Islam,* Second edition; Franz Rosenthal, *A History of Muslim Historiography* (Leiden: Brill, 1968); Ibrahim Hafsi, "Recherches sur le genre "Tabaqat" dans la littérature arabe," *Arabica* 23 (1976): 227-265 ; "Recherches sur le genre "Tabaqat," dans la littérature arabe," *Arabica* 24 (1977): 1-41, 150-186; Malak Abiad, "Origine et développement des dictionnaires biographiques arabes," *Bulletin d'Etudes Orientales* 31 (1979): 7-15; Richard Bulliet, "A Quantative Approach to Medieval Muslim Biographical Dictionaries," *Journal of the Economic and Social History of the Orient* 13 (1970): 125-211; Fedwa Malti Douglas, "Controversy and its effects in the Biographical Tradition in al-Khatib al-Baghdadi," *Arabica* XLVI (1977): 115-131; Paul Auchterlonie, *Arabic Biographical Dictionaries: a Summary Guide and Bibliography* (Durham: Middle East Libraries Committee, 1987); Michael Cooperson, *Classical Islamic*

closely associated with the emergence of the hadith literature. The belief held among historians was that the main objective of the genre was to collect information that would assure the reliability of the hadith-transmitters. This opinion has been challenged or remolded by appealing to the fact that the earliest biographies did not only concern hadith transmitters but also poets, singers, Qur'an readers and jurisprudents.[19] Michael Coopserson states that even though the earliest existing set of biographies entitled the *Tabaqat al-Kubra*, which were compiled by al-Waqidi (d. 207/822) and Ibn Sa'd (d. 230/845), "appears to be a catalogue of hadith – transmitters, […] it also contains many reports that have little bearing on reliability, as well as a substantial biography of the Prophet." He points to the fact that Ibn al-Nadim (d. before 388/998) has described al-Waqidi in his *Fihrist* as "an authority on the Prophet's biography, the conquests, […] matters of hadith, jurisprudence and *akhbār*" [and Ibn Sa'd] as "an expert in the *akhbār* of the Companions and successors, and not a hadith scholar."[20] He thus suggests that these authors belong to a wider category of *akhbārīs* described by Ibn al-Nadim as "collectors of reports, genealogists, and authors of biographies and [accounts of] events."[21]

Biography (Cambridge: Cambridge University Press, 2000); Asma Afsaruddin, "Reconstituting Women's Lives: Gender and the Poetics of Narrative in Medieval Biographical Dictionaries," *The Muslim World* 92 (2002): 461-481. Hilary Kilpatrick, "Time and Death in Compiled *adab* 'Biographies'," *al-Qantara* 25 (2004): 387-412; Wadad al-Qadi, "In the Footsteps of Arabic Biographical Literature: A Journey, Unfinished, in the Company of Knowledge," *Journal of Near Eastern Studies* 68 (2009): 241-252; Julia Bray, "Literary Approaches to Medieval and Early Modern Arabic Biography," *The Journal of the Royal Asiatic Society* 20 (2010): 237-253;

[19] Cooperson, *Classical Arabic Biography*, 1.

[20] Ibid., .8.

[21] Ibid.

Chase Robinson presents biographical dictionaries as one of three main genres of historiography which crystallized in the course of the formative period of Islamic history, namely prosopography, biography and chronography. He justifies narrowing down historiography to these three genres and setting them apart from *adab* by stating that they are deliberate "representations of the past in which chronology, whether explicit or implicit is an essential figure." [22] In the eyes of medieval Muslims themselves, what distinguished the *akhbārī* or *mu'arrikh* who engaged in the production of these historical narratives is the fact that he collected *akhbār* belonging to a certain time frame and arranged it in a chronological order whereas an *adīb*, a *'ālim* or a *faqīh* would opt for a topical classification.[23] The authors of biographical dictionaries compiled the biographies of men and women who belonged to a specific historical time period. The chronological aspect was not necessarily an organizing factor of the individual biographical narrative, but did, however, grant a time frame to each biographical collection as well as to the order in which biographies are compiled.[24]

Biographical dictionaries often carried the term *ṭabaqāt* in their title. Ibrahim Hafsi explains that the term *ṭabaqa* (pl. *ṭabaqāt*) refers to a social group that is perceived as having played an important historical role.[25] The concept of *ṭabaqāt* was

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[22] Chase Robinson, *Islamic Historiography*, 5.

[23] A. A. Duri, "The Iraq School of History to the Ninth Century, a Sketch," in *Historians of the Middle East*, ed. Bernard Lewis and P.M. Holt (London: Oxford University Press, 1962), 54-58.

[24] Kilpatrick, "Time and Death," 338.

[25] Hafsi, "Recherche sur le genre," 229.

employed to refer to hadith transmitters, Qur'an readers, *mufassirīn*, as well as poets

and singers. What all these classes have in common despite their professional disparity

is that they all aim to preserve and/or produce and transmit a certain field of knowledge

and of cultural production by memorizing, inscribing, reciting, declaiming, or singing it.

In other words the classes that were chosen as worthy of biographical collections were

classes of people who acted mainly as cultural repositories as well as mediators between

a past and a present. Indeed, Michael Cooperson argues that biographical dictionaries

aim at writing a history of the Muslim community at large, by compiling the

biographies of social groups who are perceived as the bearers of a particular

understanding of what constitutes distinctive components of Islamic culture.[26]

'Abdul 'Aziz al-Duri argues that Muslim historiography is a part of Muslim

culture and can only be understood when studied with reference to other cultural

activities and developments. He states that the beginnings of historical studies followed

broadly two cultural trends which were distinct from each other. On the one hand a

trend focusing mainly on *akhbār* concerning the life of the Prophet and collecting

hadith; on the other, a trend which in a sense formed a continuation of pre-Islamic

activities and focused on gathering *akhbār* concerning the affairs of the tribes which

were mainly preserved in poetry and anecdotes.[27] These two trends reflect two major

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[26] Cooperson, *Classical Arabic Biography*, 1-23.

[27] Duri "The Iraqi School," 54.

cultural currents in early Islamic society. George Makdisi refers to them respectively as the scholastic and humanist approaches to knowledge.[28]

The earliest extant biographical dictionaries do not make their appearance until the beginning of the early Abbasid period, a time when Islamic civilization was engaged in developing a clear self-image and constructing an emerging Islamic identity. This period witnessed the flourishing of a wide variety of cultural fields of production which did not share, however, the same degree of legitimacy. While the study of hadith gained in authority, poetry and music were controversial yet expanding fields of humanist cultural expression. The third/ninth century witnessed the development of opposing trends among the intellectuals of the times for or against music.[29] The first critique of musical instruments and musical performance, Ibn Abi al-Dunya's (d. 281/894) *Dhamm al-Malahi*, was produced in the course of the third/ninth century. This monograph includes a collection of hadiths critical of the *qiyān*.[30] Scholars have argued that the polemics over music and poetry were tied in part to the performance of slave women at the *majālis* of the court and the elite. These highly educated and trained slave courtesans, who were made sexually available to their owners by Islamic law, were

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[28] George Makdisi, *The Rise of Humanism*, 2.

[29] Lisa Nielson, "Gender and the Politics of Music in the Early Islamic Courts," *Early Music History* 31 (2012): 235-261; Amnon Shiloah, "Music and Religion in Islam," *Acta Musicologia* 69 (1997): 143-155.

[30] James Robson, ed. and trans., *Tracts on Listening to Music being Dhamm al-Malahi by Ibn Abi al-Duniya and Bawariq al-Ilma by Majd al-Din al-Tusi al-Ghazali* (London: The Royal Asiatic Society, 1938). Shiloah, *Music in the World of Islam*, 62. Shiloah notes that Ibn Abi al-Dunya was a contemporary of Ibn Khurdadhbih (d. 300/911) who used the term *malāhī* in the title of his monograph (extant) on musical instruments without any pejorative connotations. It was, however, Ibn Abi al-Dunya's critical tone that prevailed and the use of the term *malāhī* following his tract carried negative connotations.in reference to musical instruments without any pejorative connotations. It was, however, Ibn Abi al-Dunya's critical tone that prevailed and the use of the term *malāhī* following his tract carried negative connotations.

perceived as using music and poetry as a medium for awakening the senses and inducing passion in men and thus diverting them from the norms of proper and ethical social conduct.[31]

The authors of biographical dictionaries offer different perspectives as to the fields of knowledge that they perceived as constitutive of a legitimate Islamic cultural heritage. Wadad al-Qadi notes that the earliest biographical dictionaries dealt with *ṭabaqāt* engaged mainly in two different fields of cultural production namely religious learning and poetry.[32] This shows that at the time when Islamic civilization was engaged in defining itself, religious learning and poetry came to the forefront as fundamental defining criteria. Religious learning gave Islamic civilization its particular character. Arabic poetry was a pre-Islamic genre which was integrated into Islamic cultural production and provided an element of continuity with the pre-Islamic Arab past.[33] The various representations of the cultural roles of slave women were important factors of difference in tracing communal cultural boundaries. The choice of the categories of slave women whose biographies were compiled by Ibn Saʿd, Ibn al-Muʿtazz, al-Isfahani and al-Baghdadi was very closely linked to their authors' cultural

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[31] Nielson, "Gender and the Politics of Music," 236, 237; Shiloah, "Music and Religion," 143. Shiloah argues that the appropriateness of music was an issue debated mainly by religious authorities. He explains that the category under which these responses are classified is referred to as *samāʿ*. This literature is concerned with the lawfulness of music and dance from a legal, theological and mystical perspective.

[32] Wadad al-Qadi, "Biographical Dictionaries: Inner Structure and Cultural Significance," in *The Book in the Islamic World: the Written Word and Communication in the Middle East*, ed. George ʿAtieh (Albany: Library of Congress, 1995), 97.

[33] Bray, "Islamic Cultures and Societies," 383-389.

interests and their appreciation of what constituted an Islamic heritage worthy of being preserved.

Ibn Saʿd and al-Khatib al-Baghdadi belonged to the scholastic movement. Their scholarly interests focused mainly on hadith transmitters. Their biographical dictionaries aimed primarily at providing information on the men and women, free and slave, who had been compilers, narrators and transmitters of the sayings and deeds of the Prophet.[34] Ibn Saʿd compiled his dictionary at a time when the *sunna* of the Prophet was defining the boundaries of Muslim identity and setting precedents for Muslim jurisprudence. His *Kitab al-Tabaqat al-Kubra* sought to provide information on the individuals who, from the beginning of Islam down to his own time, had been recognized as trustworthy authorities on hadith. The last volume compiles the biographies of about six hundred women, including a number of slave women. Al-Khatib al-Baghdadi's *Tarikh Baghdad* begins with a topographical description of the city and aims mainly at compiling the biographies of individuals who were connected with the city of Baghdad and were also authorities on hadith. He also includes a last volume/chapter which gathers the biographies of thirty one women among whom three are slaves or of slave origin.

Ibn al-Muʿtazz and al-Isfahani were driven by a different set of interests. They belonged to the humanist rather than the scholastic movement. The individuals they perceived as repositories of a cultural heritage worthy of being compiled and inscribed

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[34] J.W. Fück, s.v. "Ibn Saʿd," *Encyclopaedia of Islam*, Second Edition; R. Sellheim, s.v. "al-Khatib al-Baghdadi," *Encyclopaedia of Islam*, Second Edition.

were poets and singers as well as poetesses and songstresses, free and slave. Ibn al-Mu'tazz's (d. 295/908) *Tabaqat al-Shu'ara' al-Muhdathin* was written towards the end of his life. It compiles the biographies of poets of the Abbasid period and ends with the biographical entries of six poetesses of which five are slave women. *Kitab al-Aghani* is Abu l-Faraj al-Isfahani's most famous work. [35] In it, he collected the songs that had been chosen on the order of the caliph al-Wathiq (d. 232/847) by the famous musician Ishaq al-Mawsili. This list is believed to be a revised version of the one prepared by Ibrahim al-Mawsili to the caliph Harun al-Rashid (d. 193/809).The *Book of Songs* has been classified by Kilpatrick as a work of *adab* as well as an encyclopedic portrayal of culture. [36] The description of each song entailed providing information about the singer or songstress who performed the song in ways that resemble to a large extent biographical entries. Moreover, the songs and singers are presented in a chronological order, a matter which grants to the *Book of Songs* a historical value. Consequently, even though the *Book of Songs* is primarily a work of *adab*, it may also be approached as a compilation of the biographies of singers and songstresses from pre-Islamic times to the third/ninth century. Hillary Kilpatrick points out that during the period which preceded the Buyids' accession to power, the decline of the caliphal court deprived musicians of their most prestigious source of professional stimulus and financial encouragement. She suggests that al-Isfahani perceived the return to stability under the Buyids and the encouragement of a cultured patron as well as his own engagement in compiling the

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[35] Abu l-Faraj al-Isfahani, *Kitab al-Aghani*, (Beirut: Dar al-Kutub al-'Ilmiya, 1992).

[36] Hillary Kilpatrick, "Cosmic Correspondences: Songs as a Starting Point for an Encyclopaedic Portrayal of Culture," in *Pre-Modern Encyclopaedic Texts, Proceedings of the Second COMERS Congress, Groningen, 1-4 July 1996*, ed. Peter Binkley (Leiden: Brill, 1997), 137-146.

'life writings' of slave poetesses and songstresses as a halt to decline and the promise of a return to the glorious era of the early Abbasid caliphate.[37]

B. Slave Women in Biographical Dictionaries

The majority of biographical dictionaries dedicated a section or a volume to the biographies of women. Most compilers such as Ibn Saʻd, Ibn al-Muʻtazz or al-Khatib al-Baghdadi placed women in a different section at the end of the main body of biographies. Others such as al-Isfahani interspersed the biographies of women among those of the men. Ruth Roded suggests that "the total absence of women from some collections may result from the common procedure of placing the women's biographies in a separate section at the end of the work; thus we cannot know if the women's section was lost or never existed." She notes that numerically, the most important women in Islamic biographical dictionaries are the female Companions of the Prophet who engaged in the transmission of the Prophet's deeds and words. She adds, however, that it is also important to realize that if "large numbers of women engaged in a certain endeavor strongly indicate a widespread phenomenon […] the symbolic importance and precedent of a small number of women in unique roles such as warriors, jurisconsults, or legitimate rulers for example, carry an important symbolic value which may surpass the quantitative aspect. [38] Clearly, the cultural significance of slave women in

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[37] Ibid.

[38] Ruth Roded, *Women in Islamic Biographical Collections, From Ibn Saʻd to Who's Who* (London: Lynne Rienner Publishers, 1994), 9. According to Roded, the proportion of women in these dictionaries, independently of status, ranges from one percent to twenty three percent and their number from one to over fifteen hundred.

biographical compilations, did not reside in their numbers but rather in the various roles and positions which they held.

The positioning of women at the end of biographical dictionaries is indicative of a patriarchal society where men occupy leading positions. However, the preservation of social hierarchy among slave and free women does not seem to constitute a structural factor underlying the authors' arrangement of their biographies. The order in which they are presented is often chronological. Chronology is not affected or overlooked because of legal status. If these women lived during the same period they are often grouped as one category with no explicit attempt to differentiate among them. Ibn Sa'd and al-Khatib al-Baghdadi simply use the term women or *nisā'* to introduce the women's section. In later biographical compilations, such as that of Ibn 'Asakir (d. 660/1261) or Ibn al-Sa'ī (d. 674/1276) titles refer to free and slave women with free women being mentioned first. [39] This may reflect a growing social consciousness regarding differences in status.

The two main categories of slave women whose biographies are included in biographical dictionaries are concubines and songstresses and/or poetesses. The only explicit terminology indicative of servility that allows the reader to know that the entry concerns a slave woman are the terms "*jāriyat* so and so" in the title of the biographical entry (*tarjama*) as in 'Inan *jāriyat* al-Natifi. In the biographical dictionaries of Ibn al-

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[39] Ibn 'Asakir, *Ta'rikh Madinat Dimashq,* ed. Sakina al-Shahabi (Damascus*:* Majma' al-Lugha al-'Arabiya, 1981); Ibn al-Sa'i, *Nisa' al-Khulafa', al-Mussamma Jihat al-A'imma min al-Hara'ir wa-l-Ima'*, ed. Mustafa Jawad (Cairo: Dar el-Ma'arif, no date).

Mu'tazz and al-Isfahani, the term *qayna* does not appear in the name of the individual

slave woman. The term *mawlāt* is ambiguous since it is not always clear whether the

term refers to a slave, a freed slave as in Barira *mawlāt* 'A'isha, or a free client.[40]

Consequently, it is often difficult to determine whether a woman is a slave simply by

looking at the title preceding the biographical entry. Sometimes it is just the first name

that is given as in the case of the concubines of the Prophet, Safiyya, Rayhana and

Maria the Copt or the concubines of caliphs such as Khayzuran or songstresses such as

'Arib al-Ma'muniya. The authors most probably presumed that it was common

knowledge that these women were slaves or of slave origin and that there was no need

to explicitly state the case. For the uninformed reader, it is only upon reading the

biographical entry that one understands that the woman is actually a slave. The term

ama which is often used to refer to a common slave refers most of the time to the

surname of free women such as for example Amat al-Wahid. Women holding these

names were mostly free *muḥaddithāt*.

The concomitant choices of the categories of slave and free women within each

biographical compilation reveal differing understandings of what constituted culturally

significant feminine roles. They indicate that these roles were not based on legal status

but rather on a different appreciation of what constituted an Islamic cultural heritage

worthy of being preserved and perpetuated. Authors such as Ibn Sa'd and al-Baghdadi

who chose to compile the biographies of slave women as mere concubines or servants

and not as women who engaged in poetry and music included in parallel the biographies

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[40] Patricia Crone, s.v. "Mawla," *Encyclopaedia of Islam*, Second Edition.

of free women as *muḥaddithāt*. The cultural criterion guiding their biographical choices was the perpetuation of inherently Islamic traditions set by the Prophet through concubinage or the transmission of hadith. Biographical compilations such as *Tabaqat al-Shuʻara'* and *Kitab al-Aghani* which compiled the biographies of slave songstresses and poetesses contained also the biographies of free or freed women, who were associated with the fields of poetry and song.

Ibn al-Muʻtazz includes the biographies of six poetesses all of whom are slaves except for ʻA'isha al-ʻUthmaniyya whose status is unclear. Ibn al-Muʻtazz does not specify whether she is a slave or a free woman. He does not associate her, however, with a master or a slave dealer as he does with the other slave poetesses. He refers to her as beautiful *jāriya*. It is not clear whether the term here means a young maiden or a slave. She lived in Mecca in the first/seventh century under the caliphate of al-Zubayr. In her poetry, she describes the fighting and the fire that destroyed the city during the war between al-Zubayr and the Umayyad caliph, Yazid. As for al-Isfahani, he includes the biography of the Abbasid princess ʻUlayya bt. al-Mahdi who was famous for her poetical and musical skills. Al-Heitty names other free women of the court, all of them Abbasid princesses, who engaged in poetry such as Lubaba bt. al-Mahdi, Khadija bt. al-Ma'mun, and ʻA'isha bt. al-Muʻtasim. He adds that Zubayda, the wife of Harun al-Rashid, wrote poetry lamenting the murder of her son al-Amin while Buran bt. al-Hasan bin Sahl lamented the death of her husband the caliph al-Ma'mun. Al-Heitty suggests that the little information that has survived on free poetesses is due to their lack of

public exposure and consequently the lack of *ruwāt* to preserve and transmit their poetry

since the caliphs did not appreciate having the poetry of the princesses repeated. The

cultural criterion guiding these biographical compilations was in part the preservation of

cultural traditions that predated the advent of Islam, namely poetry and song and yet

were perceived as being integrated into the cultural practices of the emerging Islamic

polity in part through the performance of slave and free poetesses and songstresses.[41]

C.   'Inan *Jāriyat* al-Natifi: The Vicissitudes of a Famous Poetess

Slave poetesses and songstresses were held in high regards at the Abbasid court

and their works were collected and compiled. The professional *qiyān* performed a

specific kind of music which was associated with and sponsored by the court. It

developed its own system of transmission and was profane in character.[42] Poetry

provided the lyrics that were turned into songs. Despite or because of their servile

status, slave poetesses and songstresses were thus granted access to very powerful

venues and their biographies demonstrate their awareness of the benefits granted by

their proximity to influential and rich men.

Being a performer at the caliphal court carried the potential of ensuring social

and financial benefits not only to the concerned songstresses and poetesses but also to

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[41] Al-Heitty, "The Contrasting spheres of Free Women and *Jawari*," 41.

[42] Hilary Kilpatrick, " Princes, musiciens et musicologues à la cour abbaside," in *Les intellectuels en orient musulman, statut et fonction*, ed. Floréal Sanagustin (Le Caire: Institut français d'archéologie orientale, 1998), 1-15.

their descendants as well as their close entourage who would continue to serve the dynasty. The songstress Shuhda was bought by the caliph al-Walid b. Yazid (d. 126/744). Her daughter 'Atika bought a slave, Mukhariq, and taught him to sing and play the luth. The latter was eventually bought by the caliph al-Rashid (d. 193/809). Mukhariq's son belonged to the entourage of the caliph al-Ma'mun (d. 218/833).[43] The poetess al-Fadl is portrayed as a patron of the *udabā'* and a friend of the caliphs who held her in high esteem. She instrumentalized her influence to help those whose cause she embraced. She is described as a very passionate person who once she supported a group did it with much fervor and zeal.[44] 'Arib, a celebrated Abbasid poetess and songstress is often singled out by Abbasid and modern scholars as the prototype of the successful court courtesan who succeeded at enticing men reaping great financial benefits. She outlived numerous masters who included at least three caliphs, namely al-Amin, al-Ma'mun and al-Mu'tasim. Not only was she successful at court, she succeeded at retiring from court life with a large enough fortune that allowed her to enjoy in her last days the presence of many *jawārī* as well as engage in at least one reported real estate transaction with a former lover. [45]

Kitab al-Aghani is particularly resourceful with regards to the lives of these slave poetesses and songstresses, the *majālis* in which they performed, the opportunities

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[43] Al-Isfahani, *al-Qiyan*, 77-81; Suzanne M. Meyers Sawa, s.v. "'Atika bt. Shuhda," *Encyclopaedia of Islam*, Third Edition.

[44] Ibn al-Mu'tazz, *Tabaqat*, 426.

[45] Gordon, "'Arib al-Ma'muniya," 96.

that were available to them and the hindrances that stifled prospects for social mobility.

Many of the biographies that it compiles along with the ones assembled by Ibn al-

Muʻtazz nuance in significant ways the portrait of the playful and self-fulfilled

concubines as described by al-Jahiz. The biography of ʻInan stands in great contrast to

that of ʻArib. Followingʻ the death of her master, ʻInan was taken by the caliph Harun

al-Rashid's servant Masrur to the slave market in al-Karkh and put up for auction like

any other common slave. There, she was bought by an unknown man who took her to

Khurasan and begot two children from her. According to different reports she died there

or in Egypt in apparent anonymity.[46] The death of her master marked in other words, the

end of her career. It is clear, however, that ʻInan yearned for social mobility by striving

to gain access to Harun al-Rashid's court. Ibn al-Muʻtazz states that ʻInan wrote Yahya

bin Khalid al-Barmaki asking him to help her improve her situation.[47] Despite her fame,

ʻInan's access to the court was hindered by a number of obstacles depriving her of its

potential social and financial benefits. What are the factors that denied ʻInan access to

the court and turned her into an 'anti-heroine' despite her desire to improve her position

along with a wide recognition of her skills?

ʻInan was born in distant Yamama where she received an education in poetry

and song and was bought by al-Natifi who brought her to Baghdad, the Empire's

capital. Her poetic skills and growing reputation attracted many poets to her master's

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[46] Al-Isfahani, *al-Aghani*, vol.23, 92-101.

[47] Ibn al-Muʻtazz, *Tabaqat*, 421.

residence where *majālis* of poetry were held. The term majlis refers to the physical

setting in which the intellectual, cultural and social life of the medieval Muslims took

place. Dominique Brookshaw distinguishes between the large caliphal *majālis* and more

informal and/or convivial ones.[48] ʿInan performed mainly in informal *majālis* which

involved the presence of a small circle of men and women some of whom had also

access to the *majālis* held at the caliphal court. It may have been in part through some of

these poets, such as for example Abu Nuwas, who took part in the *majālis* held at the

home of her master and at the court that the reputation of ʿInan reached the caliph Harun

al-Rashid.

Slave songstresses or poetesses who acquired a reputation for excelling in their

poetic or musical skills enhanced the social status and prestige of their owner. Their

cultural value is often illustrated in a narrative that describes how their master refused to

sell them even when very appealing monetary offers were made. When, Harun al-

Rashid expressed his admiration for ʿInan's poetic skill and the desire to acquire her, a

major hindrance was enforced by her master al-Natifi. He requested a sum that even the

caliph regarded as excessive.[49] Al-Natifi's behavior is indicative not only of his greed

but also of the source of social standing that ʿInan's poetic skills had provided him with.

The latter is often portrayed inviting poets to his home. The convivial *majālis* that were

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[48] Dominique Brookshaw, "Palaces, Pavilions and Pleasure-Gardens: the Context and Setting of the Medieval *Majalis*," *Middle Eastern Literatures* 6 (2003), 199-223.

[49] Al-Isfahani, *al-Aghani*, vol. 23, 99.

held there in the presence of 'Inan contrasted with the daunting and highly competitive ones staged at court.[50] Still the competition among poets in more intimate *majālis* could be scathing. 'Inan's famous repartees in the course of these *majālis* demonstrate a certain feistiness which may have been detrimental for her career.

Despite her fame and the social prestige she brought upon her master, 'Inan was subjected to physical violence and did not benefit from much physical comfort. She did not use her poetic skills, however, to trigger the sympathy and support of her interlocutors. When al-Natifi invites the poet Marwan b. Abi Hafsa for a poetic gathering with 'Inan, they come into the house and find her ill. She asks her master if the poet could put off his visit to another day. Al-Natifi shows no signs of compassion. He beats 'Inan a number of times prompting her to cry and forces her to receive her undesired visitor. She shows no sign of resignation, however, since in response to the visitor's considerate and emphatic verses: "'Inan cried and her tears rolled down like pearls streaming out of a thread," she aggressively responds by saying: "May he who beats her unjustly have his right hand harden upon his lash."[51] On another occasion, an impromptu visit by the poet Aban finds her sitting on a rough piece of textile. The situation triggers ironic verses on behalf of her visitor. Her answer, again demonstrates much rebellion and resentment.[52] Even when Masrur brought 'Inan to Bāb al-Karkh and

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[50] Hugh Kennedy, *The Court of the Caliphs*, 115.

[51] Al-Isfahani, *al-Aghani*, vol. 23, 94.

[52] Al-Isfahani, *al-Ima' al-Shawa'ir*, 30.

put her up for sale, she cursed the one who had ordered to have her treated so contemptuously. Many of the verses attributed to 'Inan reflect an aggressiveness which may have constituted yet another obstacle for her social mobility and potential access to the caliphal court.

Al-Natifi's greed and 'Inan's rebellious character were not the only impediment to 'Inan's access to the court of Harun al-Rashid. Zubayda, Harun al-Rachid's wife, engaged the services of the poet Abu Nuwas and of the grammarian al-Asma'i who were both members of the close entourage of the caliph. A couple of defamatory verses by Abu Nuwas disparaging 'Inan in matters of sexual promiscuity were powerful enough to ruin her chance at becoming a court courtesan. The verses reached and angered the caliph who recognized that they rendered her unbefitting for him.[53] Al-Asma'i succeeded at alleviating al-Rashid's frustration by helping him overcome his attraction to 'Inan. With a humorous anecdote, the grammarian encourages the caliph to dissociate his attraction for 'Inan's poetic skills from her sexual appeal. Would the caliph want to 'have' the poet al-Farazdaq, who was known for his bawdiness, al-Asma'i asks? The witty eliciting of homophobic feelings triggers the caliph's laughter, alleviates his anger, and helps him brush off his loss of 'Inan.

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[53] Al-Isfahani, *al-Aghani*, vol. 23, 101.

Significantly, the anecdote demonstrates that the poetic or musical skills of slave songstresses and poetesses could be dissociated from their sexuality.[54]

'Inan's mastery of poetry and of quick and witty repartee were not sufficient to grant her access to the court and to the material rewards that would ensure a comfortable and care free retirement. A number of factors stood in the way of talented and ambitious slave poetesses and songstresses. Al-Natifi, al-Asma'i, Zubayda and Abu Nuwas embody four categories of individuals who carried a potential interest in preventing slave poetesses or songstresses from gaining access to the court: The slave woman's master whose social prestige and network depended in part on his ownership of a coveted songstress/poetess; the men from the caliph's close entourage who wished to protect the caliph from the influence that some of the *jawārī* were able to exert on him and reap the benefits of reward when their action served the objectives of the *jāriya's* opponents as in the case of Zubayda; the women from the caliph's 'harem' who perceived her as a rival and who could seek and ensure the help of other courtiers or poets/poetesses to harm 'Inan; and finally, male poets who recognized in a gifted poetess a prospective competitor who possesses an asset those male poets did not, namely, their feminine sexuality. When granted the opportunity to eliminate a rival and benefit from the prospect of a financial reward, they would unsurprisingly grab it.

'Inan's biography contests the idealized image of the alluring, self-fulfilled, and pampered concubine drawn by al-Jahiz. It highlights the obstacles and shortcomings

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[54] Ibid., 98.

that many of these highly skilled and ambitious poetesses and songstresses had to face

as well as the lack of comfort and the physical abuse that a number of them had to

endure. It also demonstrates, however, that professional achievement could be

dissociated from sexual allurement. 'Inan's mastery of poetry did not grant her access to

the caliphal court but ensured her long lasting fame by warranting her entry into the

Book of Songs.

D. Maria the Copt: The Archetype of the Concubine

The time periods covered by the biographical dictionaries of Ibn Sa'd and al-

Khatib al-Baghdadi were not wonting in slave songstresses and poetesses. Mecca and

Medina were important centers of music since pre-Islamic times and well into the

Umayyad period.[55] Under the Abbasid dynasty, the caliphal court in Baghdad became

the major destination of highly trained slave songstresses and poetesses. But the cultural

contribution of poetesses and songstresses did not answer to the intellectual interests of

Ibn Sa'd and al-Baghdadi. Nevertheless, *al-Tabaqat al-Kubra* and *Tarikh Baghdad* do

include a number of biographical entries of slave women which reflect the authors'

acute awareness of the major issues associated with the growing practice of

concubinage among the urban population and at the caliphal court. The slave women

included in Ibn Sa'd's *Tabaqat* are mainly the concubines of the Prophet as well as

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[55] Nasr al-Din al-Asad, *al-Qiyan wa-l-Ghina' fi-l-'Asr al-Jahili* (Cairo: Dar el-Ma'arif, 1968).

slaves who acted as servants or who had witnessed the Prophet engaged in action and described what they saw.

The biographical entry of Maria the Copt shows that Ibn Saʿd was keenly aware of the predicament posed by the presence of concubines in third/ninth century Baghdad. The wording and choice of his anecdotes reflect an appreciation of the need to formulate an example to follow regarding gender relations between concubines and free men. As for al-Baghdadi's *Tarikh Baghdad*, despite the large number of famous slave women who populated the caliphal court, the only substantial biography of a Baghdadi slave woman is that of al-Khayzuran, the concubine and later wife of the caliph al-Mahdi. He avoids, however, addressing issues regarding the involvement of slave women in politics. Khazuran's biography focuses mainly on the personal ties linking her to the caliph al-Mahdi. Both authors depict slave women as concubines whose rights and duties were delimited by a clear set of legal and moral rules.

Ibn Saʿd grouped the women of *al-Tabaqat al-Kubra* into four main categories:1) The women who were related to the Prophet in a number of ways mainly familial and matrimonial; 2) The Muslim women of Quraysh who took an oath or a pledge of allegiance to the Prophet, their allies and their clients, and *gharāʿib* women of the Arabs; 3) The Muslim women of *the anṣār* who took an oath of allegiance; 4) The Women who did not report from the Prophet but from his wives and others. Biographies of slave women are found in all but the third category. They are wives, concubines or *muḥaddithāt*. The Prophet is often described as concerned with the status of slave women and intervenes when questions or problems concerning their lives arise. These

narratives may reflect on the one hand the attitude of the Prophet and on the other, the need by the third/ninth century to regulate the social relations tying slave women to free and slave members of the household. Three slave women, Safiyya, Rayhana and Maria the Copt are found among the women linked to the Prophet through marriage or concubinage.[56] Safiyya is presented as having been freed by the Prophet who marries her. There is a lack of consensus concerning his marriage to Rayhana. The status of Maria the Copt is distinct from that of all the other women who preceded her. She is the only woman who is clearly identified as the concubine of the Prophet. A special section is dedicated to her.

Ibn Saʻd compiled his dictionary at a time when the regulation of sexual gender relations and attitudes towards pleasures formed important topics of legal and literary discourse. Defining the role and status of a concubine was a matter that concerned the ruling elite as well as the urban middle classes and maybe even the urban poor. The issues which are addressed by Maria's biography are those of the sexual accessibility of slave women, pleasure, the begetting of children as well as relations with wives. Maria the Copt and her sister Sirin were sent along with a donkey and other goods as gifts from the Byzantine governor of Alexandria to the Prophet with whom he sought to establish friendly relations.[57] In her biography, Ibn Saʻd describes Maria as an *ama*, a *jāriya*, a *surrīyya* and an *umm walad*. Her biographical entry shows that concubinage

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[56] Ibn Saʻd, *al-Tabaqat al-Kubra*, vol.8, 95-102; 102-104.; 170-174.

[57] Ibid., 170.

was a well-established practice with a clearly defined set of rules which the biography serves mainly to legitimize and confirm.

A number of anecdotes in Maria's biography address the relations between her and the Prophet's wives. The problems are representative of the conflicts arising between concubines and wives in general. It is noteworthy that at no point in her biography does Maria herself speak. The concubine is depicted as a passive woman who does not express her concerns but is rather enjoined to adhere to certain rules of conduct. The problems or conflicts prompted by the presence of Maria are conveyed by the Prophet's wife 'A'isha. In the words of the latter, Maria triggered the jealousy of the Prophet's wives. This jealousy was stirred by both her beauty and the Prophet's attraction to her. 'A'isha said: "I never felt jealousy towards a woman as much as I felt towards Maria. She was beautiful and the Prophet had much admiration for her. He had her stay at the house of al-Haritha b. al-Nu'man and so she was our neighbor. The Prophet was most of the day and the night at her place until we vented out our anger to her." Maria got scared when the Prophet's wives let her know that she was not appreciated by them. The Prophet moved her away from his wives which again in the words of 'A'isha made things only worse for them. "The Prophet moved her to al-'Aliya and used to visit her there. This only made the situation even more difficult for us to bear."[58] The narratives evoking the relations between the wives of the Prophet and

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[58] Ibid., 171.

Maria demonstrate a clear awareness of the unavoidable tension provoked by the cohabitation of wives and concubines.

The sexuality of concubines which is the factor of tension between the wives of the Prophet and Maria is evoked in a number of traditions. The categories through which the sexuality of concubines is discussed are lawfulness, pleasure, and procreation. Ibn Sa‘d describes the Prophet questioning the legitimacy of sexual relations with one's slave women: "[The Prophet] said: She is illicit to me. By God I will not approach her." A verse descended, however, allowing the Prophet to recant his vow and indirectly confirming that a slave woman is licit to her master, (Q 66:2, Allah has already ordained for you the dissolution of your oaths in some cases and Allah is your Protector, and He is full of Knowledge and Wisdom).[59] This is confirmed by Anas ibn Malik who describes Maria as the *surrīyya* of the Prophet. He states that what is *haram* (with free women) is licit with slave women or *ima'*. "If a man says to his slave woman (*jāriya*) you are illicit to me, he is not sanctioned. But if he says I will not approach you, expiation is a duty."[60] This implicit reference to pleasure is also alluded to by repeated statements that the Prophet admired her (*u'jiba biha*) and by the fact that he spent considerable time with her. This apparent condoning of sexual pleasure with concubines is, however, contained by implicit reference to their potential promiscuity/frivolity. The latter is evoked in a narrative where the need to confirm fatherhood is evoked.

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[59] Ibid.

[60] Ibid.

The repeated visits of a man to Maria irritated the Prophet who asked ‘Ali to

get rid of him. ‘Ali discovered accidentally that the man is castrated and lets him go.

The confirmation of the Prophet's fatherhood by the angel Gabriel allows Muhammad

to recognize Maria's son as his.[61] The role of the concubine as a procreator is thus

confirmed and strengthened. Unlike all of his wives, Maria gave the Prophet a son,

Ibrahim. Through the words of Ibn ‘Abbas, Ibn Sa‘d describes how Maria was granted

the status of *umm walad*. "Ibn ‘Abbas said: When Umm Ibrahim gave birth, the Prophet

said: Her child emancipated her. […] Any slave woman (*ama*) who bears a child from

her master is free after his death unless the latter chooses to free her during his

lifetime." [62] Nevertheless, Maria does not benefit from the honor and the social status

associated with the wives of the Prophet. Unlike the latter, she is not forbidden from

engaging in sexual or matrimonial partnership following the Prophet's death since no

period of waiting is imposed upon her.[63] Ibn Sa‘d addresses briefly aspects of

concubinage associated with caliphal practice. The eunuch figure in Maria's biography

mirrors that of the eunuchs who guarded the caliphal harem. The reference to Maria's

Coptic origin and the Prophet's injunction to treat the Copts well constitutes another

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[61] Ibid., 172.

[62] Ibid., 173. Ibn ‘Abbas said: When Umm Ibrahim gave birth, the Prophet said: Her child emancipated her. […] Any slave woman (*ama*) who bears a child from her master is free after his death unless the latter chooses to free her during his lifetime.

[63] Ibid.

reference to the aspects of the institution of concubinage which were associated with caliphal practice.[64]

Al-Baghdadi, inaugurates his section on slave women with the biography of Khayzuran who was chosen by the caliph al-Mansur to his son al-Mahdi. Nabia Abbott dedicates half of a monograph to Khayzuran's rise to power at the caliphal court and to her paramount influence on al-Mahdi who nominated her sons, Musa al-Hadi and Harun al-Rashid, and not those of his only free wife Raita, as his successors.[65] Al-Baghdadi's entry, however, ignores political issues emphasizing instead caliphal concubinage as fundamentally an institution of companionship. He describes Khayzuran's uncomely behavior as witnessed by the historian al-Waqidi upon a visit to the Caliph: "al-Waqidi said: One day, I went to visit al-Mahdi […] he then stood up and said stay where you are until I come back and he entered the space of the harem; he then came out full of anger. When he sat down I said: You came out in a different state of mind than the one you had when you went in. He said yes! I went to visit Khayzuran and she jumped at me and stretched her hand towards me and tore my clothing and said: *yā qashāsh* what

good did I get from you? But I bought her from a slave trader and she saw from me what she saw; I made both her sons the inheritors of the throne; and she says I'm a *qashāsh*!"

The anecdote is critical of Khayzuran's behavior. It focuses on her apparent lack of appreciation of the benefits that her status as a concubine of the caliph has

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[64] Ibid.

[65] Nabia Abbott, *Two Queens of Baghdad*, 21-134.

brought upon her and on the anger that her behavior triggers in al-Mahdi. It thus

implicitly warns of the potential unruliness of concubines and suggests that it should be

contained. Significantly, al-Baghdadi begins her *tarjama* by relating that Khayzuran

transmitted a saying of the Prophet: "the person who fears God, God will protect him

from all things" that was related to her by her husband al-Mahdi who heard it from his

grandfather who had heard it from Ibn ʿAbbas who heard it from the Prophet.[66] The

isnād shows that this tradition was transmitted to Khayzuran by her husband and former

owner. The content of the hadith promotes obedience to God. Uttered by Khayzuran, the

tradition indicates that concubines should submit to the will of their masters.

The biographies of Maria the Copt and of Khayzuran provide us with an image

of institutionalized concubinage in the third/ninth century and of its potential benefits

and dangers. They thus trace the boundaries needed to make it a respectable practice.

The two main aspects of concubinage, namely licit sex and the begetting of children

outside the bonds of marriage are explicitly recognized as lawful and legitimate. The

dangers suggested are: the jealousy of wives; potential promiscuity, and doubts

concerning fatherhood. The benefits highlighted are partaking in sexual intercourse

outside the bonds of marriage but in concordance with God's will and begetting

children. By choosing to include these narratives in their biographical dictionary, Ibn

Saʿd and al-Baghdadi were responding to the need to collect the biographies of slave

women belonging to the early Islamic and Abbasid periods as well as to provide

appropriate answers to contemporary Abbasid questions regarding the institution of

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[66] Al-Baghdadi, *Tarikh*, vol.14, 430-431.

concubinage. Their choices reflect a particular conception of slave women's cultural roles, namely as perpetuators of the model set by the representation of Maria the Copt and more generally of the institution of concubinage as it was established by the Prophet.

E. Conclusion

Biographical dictionaries belong to a genre of historical writing which emerged during the early Abbasid period. Its goal was to compile the biographies of men and women who belonged to a near or far away past and were perceived by the authors as repositories of a certain Islamic cultural heritage worthy of being preserved and transmitted. Indeed, slave women's biographies represented them as cultural mediators between what the authors/compilers perceived as an ideal Islamic past and their own time. The compilation of their biographies took place at a period following the full expansion of the Abbasid Empire during which the Abbasid scholastic and humanist elite was very self-consciously engaged in the construction of a Muslim identity.

Scholars have described the distribution of roles among free and slave women in the fields of cultural production as one based on status. They propose two opposed ideals of Muslim womanhood namely a pious and austere *free* woman confined to the private sphere, on the one hand, and a self-fulfilled *slave* songstress or poetess performing in the public sphere, on the other. The biographies of slave women nuance this distinction based on status. Biographical dictionaries differentiate between two categories of slave women, namely, the concubine and the slave songstress or poetess. The concubine is depicted as a legal and legitimate sexual partner and producer of

offspring and thus transmitting and perpetuating an Islamic cultural heritage set by the Prophet. The slave songstress or poetess is represented as perpetuating a mostly profane cultural heritage which precedes the advent of Islam contributing to its integration to Islamic culture. Furthermore, a concomitance appears in the authors' combination of the categories of free and slave women whose life writings they compiled in their biographical collections. Authors such as Ibn Sa'd and al-Baghdadi who chose to gather the biographies of concubines such as Maria the Copt and Khayzuran focus mainly on gathering the biographies of free women as *muḥaddithāt*. Ibn al-Mu'tazz and al-Isfahani who focus on songstresses and poetesses include in their compilations the biographies of not only slave but also free women, such as 'Ulayya, who were associated with poetry and song.

The polemics surrounding the role of the *qayna* reveal two contemporaneous appreciations of Islamic culture. On the one hand, an exclusive perception of a cultural heritage which accounts only for what is perceived as inherently Islamic and on the other hand, a more inclusive vision which, in addition to the former, accounts for pre-Islamic and profane fields of cultural production such as music and poetry. Moreover, the biographies of these slave songstresses and poetesses show that the image of the alluring and self-fulfilled courtesan is to a large extent a reflection of an Abbasid apprehension, epitomized in al-Jahiz's description of the *qayna*, as well as orientalist depictions of Muslim slave women. As is suggested in the life patterns of 'Inan, these women's opportunities for self-fulfillment were rather narrow. Their path to the caliphal court was hindered by a number of considerable obstacles. That 'Inan, an accomplished

poetess, was beaten by her master and at his death auctioned out in the slave market shows that mastery of the art did not always ensure personal security and fulfillment. Access to the court required not only expertise but also a sense of diplomacy, luck, and the ability to seize the appropriate moment.

These alternative appreciations of what constituted a legitimate Islamic cultural heritage favored the crystallization of two conceptions of women's cultural roles, independent of legal status: on the one hand, a conception of women engaged in the perpetuation of inherently Muslim traditions with free women as wives and *muḥaddithāt* and slave women as concubines *only*; on the other, a conception of women engaged in preserving, producing and performing, and integrating profane fields of culture, namely music and song. In this more inclusive appreciation of Islamic culture, slave women performed in public for male audiences while free women performed in private. This approach to women's cultural roles indicates that slavery did not promote a double standard towards women based on status but served rather served to establish a feminine social hierarchy within each cultural framework.

CHAPTER V

CONCLUSION

In the course of the early Abbasid period, female slavery became a prominent institution in the urban centers of the Islamic lands. Slave women could easily be purchased in the slave markets of Baghdad and other major cities at prices ranging from a few *dīnārs* to hundreds of thousands of *dirhams*. They were thus made financially accessible to a wide spectrum of the urban population. Moreover, the legalization of concubinage by Islamic law granted slave women access to the private and public spheres of social and cultural life. In the caliphal harem, caliphs abandoned the institution of marriage as concubines gradually replaced wives. Concubines were integrated into common and elite urban households. In the formal and informal *majālis* of elite and popular culture, the *qiyān*, performed for male audiences and competed at times with renowned male poets and singers.

The social and cultural roles that were ascribed to these two categories of slave women namely the concubine and the *qayna* challenged established societal norms concerning sexuality and pleasures associated with music and poetry. They were thus inadvertently turned into 'agents' of social change. The historical significance of these two categories of slave women is revealed by their substantial presence in the foundational legal, literary and historical discourses of the Abbasid period. The social transformations associated with their roles were reflected upon and shaped by the main Abbasid intellectual protagonists, namely the *'ālim*, the *faqīh*, the *adīb* and the

mu'arikhkh. They engaged within their respective fields of interest in defining appropriate masculine behavior towards slave women as sexual partners and performers of poetry and song as well as in delimiting legitimate feminine cultural roles.

A trend of scholarship on the Islamic institution of female slavery has argued that the foundational legal, literary and historical discourses of classical Islam that crystallized in the course of the early Abbasid period demonstrate the detrimental influence of Abbasid slave women on the status of free women as well as on the classical Islamic appreciation of womanhood. Scholars have suggested that concubinage contributed to a general perception of women as sexual objects as well as to a double standard regarding the cultural roles ascribed to and the attitudes adopted towards slave and free women. They have pointed out that Abbasid foundational discourses represented slave women as lascivious, sexually alluring, and free of any sexual inhibition as well as actively engaged in the seduction of men not only through sexual means but also through the mastery of poetry and song. Free women were described as sexually inhibited and educated mostly in the religious sciences.

These modern perceptions of the status of women in classical Islam are influenced by Abbasid and orientalist perspectives as well as ideological approaches which tend to focus, depending on their objectives, on what they perceive as either 'oppressive' or 'liberating' medieval trends. This situation is made even more complex when slave women are the object of study. Modern understandings of slavery and freedom are often superimposed on medieval social and legal relations. Modern scholars have further argued that these distinct sexual and cultural roles continue to legitimize contemporary restrictions on Muslim women's legal rights as well as their social and cultural roles. As Dorothy Helly states, history matters, not only as a means to build up

an understanding of how power and gender operate but also to refute the projection of contextualized historical practices to justify, legitimize or refute contemporary ones. Adopting Julia Bray's proposition and using gender as a category of analysis this thesis has chosen not to probe Abbasid textual discourse for oppressive or liberating norms and practices, but rather to investigate how and why Abbasid male-authored foundational discourses constructed particular understandings of the social and cultural roles of slave women.

This thesis has engaged in revisiting a selection of legal, literary and historical foundational texts from the early Abbasid period in order to develop an appreciation of the conceptual framework underlying the legal regulation of the sexuality of slave women, the representation of their social roles as sexual partners as well as their cultural significance as repositories and transmitters of a specific cultural heritage. It has contested the modern representation of Abbasid slave women as contributing to a double standard or a dichotomy regarding the sexual, social and cultural roles of slave and free women. It has proposed a more nuanced appreciation of the historical and discursive ties linking slave women to the emergence of legitimate feminine social and cultural roles and more generally to a definition of womanhood.

This thesis has shown that the concerns expressed by modern scholarship regarding the detrimental influence that the institution of female slavery held on social and cultural values and norms were also expressed in the foundational discourses of the Abbasid period. However, whereas modern discourse focuses on the impact that slave women had on free women, classical/medieval Islamic discourse shifted the focus from slave women to legal concubinage and expressed anxiety and concern for the consequences that legal yet uninhibited sexual relations outside the institution of

marriage may hold not only for free women but also and mainly on the public status and private well-being of free men and more generally on social norms and social order. Legal and literary discourse thus engaged each within their respective fields of interest and expertise in delimiting the boundaries of proper sexual relations with slave women based on their respective understandings of what constituted an 'ideal' Islamic distribution of sexual roles. These endeavors informed a concomitant historical discourse concerned with inscribing slave women's appropriate cultural roles.

My investigation of the conceptual framework defining the foundational legal and literary discourses on the sexuality of slave women and their cultural roles has shown that it was not based on different conceptions of womanhood but rather on a common understanding of the sexuality of both slave and free women as a source of *fitna* favoring a cautious attitude towards pleasure as well as on a concern for the public and private well-being of men. I have argued that legal and literary discourses have used the analogy between marriage and slavery as a rhetorical and deontological tool to illustrate an inherent aspect of classical/medieval Islamic slavery, namely the absence of honor, which legitimized a social hierarchy based in part on legal status, rather than any distinctive and inherent moral traits differentiating slave women from the free. The legal regulation of the sexuality of slave women aimed mainly at protecting the honor of free women and thus preserving social hierarchy. In literary discourse, the analogy between marriage and slavery was further exploited to remind men that treating their free wives as they would treat their slave women would reduce marriage to slavery and be demeaning to the honor of free women.

Nevertheless, the perception of the sexuality of both slave and free women as a source of conflict favored an apprehensive attitude towards sexual pleasure associated

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with both slave and free women in both literary and legal discourse. This cautious attitude towards sexuality along with an interest in insuring men's well-being in sexual and social relations with their free wives and slave concubines encouraged a conception of both slave and free women as mainly producers of offspring and not as objects of desire. It further posited the adoption of the same ethical code of conduct with both slave and free women, namely moderation and self-restraint in the consumption of sexual pleasures. This ethical precept did not entail a disregard for social hierarchy or an interest for feminine needs but rather a concern for reducing tensions within the household as well as insuring men's peace of mind and well-being.

As argued by George Makdisi, the foundational discourses of the Abbasid period fall within two main currents of classical Islamic culture, namely, scholasticism and humanism. Legal discourse belongs to the scholastic cultural framework or what Marshall Hodgson calls the pietist movement while literary and historical discourses partake in both the scholastic and humanist trends. The *qiyān* who received an exhaustive education in poetry, music and song were the products of a humanist culture focused in part on man and his pleasures. I have contended that the representations of concubines and *qiyān* and of the attitudes to adopt towards them were one of the means through which scholasticism and humanism expressed their respective understandings of an ethical Muslim appreciation of pleasure and more generally their conception of appropriate feminine contribution to Islamic culture. The scholastic trend shunned pleasures derived from listening to slave poetesses or slave songstresses while the humanistic put forth the loyalty of the *qayna* and her cultural capital as legitimizing factors for a yet circumspect appreciation of poetry and song.

Abbasid biographical compilations embody a genre of historical discourse which partook in both the scholastic and the humanist movements. My inquiry into the conceptual framework underlying the choices of the biographies of slave women in a selection of biographical compilations has led me to call into question a division of women's cultural roles based on status. I have argued that the compilers' choices of legitimate cultural roles for slave women were based on different understandings of what constituted an Islamic cultural heritage worthy of being preserved and transmitted. Biographical compilations differentiated between two categories of slave women, on the one hand the concubine as a legal sexual partner and provider of offspring who does not engage in poetry and song and on the other, the *qayna* or professional slave songstress or poetess.

Compilations belonging to the scholastic trend confined their biographical entries to those of the former category as perpetuators of the traditions put forth by the concubines of the Prophet. The authors belonging to the humanist trend compiled the biographies of the latter category as repositories and transmitters of a mostly profane cultural heritage which preceded the advent of Islam and as contributors to the integration of that heritage to Islamic culture. Free women were also included within each cultural framework. Within the scholastic framework, slave women perpetuated the tradition of concubinage while free women as *muḥaddithāt* transmitted the traditions of the Prophet. Within the humanist framework, the *qiyān* performed in public while free women performed in private settings. As in the legal regulations of masculine sexual relations with slave women, slavery did not contribute to the emergence of a

double standard regarding the cultural roles of women. It did, however, differentiate between the roles of slave and free women within each cultural framework.

Despite their different fields of interest and diverging cultural perspectives, foundational legal, literary and historical Abbasid discourses shared a common Abbasid cultural ethos regarding feminine sexuality and attitude towards sexual pleasure. This ethos emerged in part from a common masculine anxiety regarding the threat to the social order posed by unregulated concubinage and a need to develop a masculine code of conduct for sexual relations with slave women. This code of conduct sustained an adherence to a fluid social hierarchy which aimed at preserving the honor of free women while granting slave women opportunities for social mobility. It also favored within a certain cultural spectrum, self-restraint and moderation in the consumption of sexual and sensual pleasures. As I have argued throughout the thesis, this cultural ethos did not emerge from the detrimental impact of slave women on free women but rather from an interaction between particular Abbasid masculine understandings of feminine sexuality, pleasure, and slavery.

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