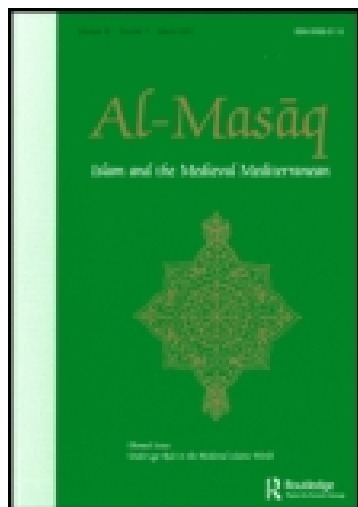


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## The Development of Feudal Relations in a Post-Conquest Reality: The Experience of the Mozarab Community of Toledo (Eleventh–Thirteenth Centuries)

MARÍA DE LA PAZ ESTEVEZ

**ABSTRACT** *The conquest of Toledo by Alfonso VI (r. 1065–1109) in 1085 opened a period of transformation and restructure in the traditional patterns that had organised the former taifa. While some scholars state that, in the early years of the Christian conquest, the traditional features of the Muslim civilisation endured, it is the aim of this article to discuss to what extent it is possible to admit a real continuity in everyday practices, taking as a prism the experience of the Mozarab community of the city. Our hypothesis is that, under the apparent continuities, a process of transformation began, through which new feudal relations managed to infiltrate the previous forms of organisation of land, taxes and religion in order to undermine their basis and make them conform to northern patterns, applying policies of segregation and cooptation.*

**Keywords:** Mozarabs; Toledo; Feudalism – in Iberia; Castile; Fueros, legal privileges

This article traces the ways in which feudal practices were introduced in Toledo by Christian armies from 1085 onwards, and how they modified the life and customs of the Mozarab inhabitants.

This subject has claimed the attention of many scholars who understand the history of the Iberian Peninsula in the Middle Ages through the notions of continuity and rupture, especially applied to contacts and influences between Islam and Christendom.<sup>1</sup> Unlike those who suggest continuities in the socio-economic

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<sup>1</sup> This issue is also closely related to the polemic about the extent of the tributary mode of production as a universal category applied to medieval social formations. See: Halil Berktaş, “The Feudalism Debate: The Turkish End is ‘Tax –vs- Rent’ Necessarily the Product and Sign of a Modal Difference?”, *Journal of Peasants Studies* 3 (1987): 291–333; John Haldon, *The State and the Tributary Mode of Production* (Verso: London, 1993); Chris Wickham, *Framing the Early Middle Ages: Europe and the Mediterranean, 400–800* (Oxford: Oxford University Press, 2005). In Spain, this polemic has been studied by: Eduardo Manzano, “Relaciones sociales en sociedades precapitalistas: una crítica al concepto de modo de producción tributario”, *Hispania* 200 (1998): 881–914; Manuel Ación Almansa, *Entre el feudalismo y el Islam: Umar ibn Hafsun en los historiadores, en las fuentes y en la historiografía* (Jaén: Universidad de Jaén, 1981), and Carlos Astarita, “El factor político en los modos de producción feudal y tributario: génesis y estructura en perspectiva comparada”, *Anales de Historia Antigua y Medieval* 35–36 (2003): 133–74, among others.

practices in the transition from one civilisation to another, our hypothesis is that the Christian conquest of Toledo marked the beginning of a process of deconstructing and transformation carried out by the northern Christians to impose their own forms of organisation by introducing them into the existing structure to transform it from within.<sup>2</sup>

Taking this premise as our starting point, we will analyse the forms in which the feudal system implemented its advancement over the territory. By ‘feudal system’ we understand a particular way in which the organisation of production and the social relations are developed, in this case by the Christian kingdoms of the north.<sup>3</sup> Our aim is to investigate the ways in which this system enabled a policy of conquest and colonisation of the land, and the scope and limits of tolerance and coexistence between the conquerors and the conquered.

Regarding the latter, two significant questions arise: how did the new rulers treat the Mozarabs? And did the group perform individual or collective acts of resistance? These practices are likely to be studied by considering the data in the records from the Mozarab community gathered in the archive of the cathedral of Toledo, with the *fueros* or charters given by the successive Christian kings to the town.<sup>4</sup> Together, they represent a considerable set of documents related to everyday issues that allow us to approach the post-conquest scenario in Toledo.

### **The conquest and the encounter with the “other” Christians**

Alfonso VI of León managed to conquer the *taifa* of Toledo in 1085.<sup>5</sup> The local Muslim king, al-Qādir, always in need of Christian aid to keep his throne, was

<sup>2</sup> By ‘deconstructing’ we understand the survival of old structures, or partial elements of them, but outside the original context in which they acted, as subsisting remains without their original foundation. For a broader explanation, see: Natan Wachtel, *Los vencidos: los indios del Perú frente a la conquista española (1520–1570)* (Madrid: Alianza, 1976). This hypothesis is also followed by Reyna Pastor de Togneri, *Del Islam al Cristianismo: en las fronteras de dos formaciones económico- sociales* (Barcelona: Península, 1975) and Pierre Guichard, *Al-Andalus: estructura antropológica de una sociedad islámica en occidente* (Barcelona: Barral, 1976).

<sup>3</sup> There is broad controversy around the topic of feudalism in Spain. For some scholars, feudalism should be understood as the existence of pacts of vassalism, while for others it is attached to Marxist ideas. See: Claudio Sánchez Albornoz, *En torno a los orígenes del feudalismo* (Bs. As.: EUDEBA; 1974); Atilio Barbero and Marcelo Vigil, *La formación del feudalismo en la Península Ibérica* (Barcelona: Crítica, 1978); Salustiano Moreta Velayos, *El Monasterio de San Pedro de Cardena* (Salamanca: Universidad de Salamanca, 1971); José Ángel García de Cortázar, *El dominio del monasterio de San Millán de la Cogolla* (Salamanca: Universidad de Salamanca, 1969); Pierre Bonnassie, *Cataluña mil años atrás (siglos X al XI)* (Barcelona: Península, 1988); Acien Almansa, *Entre el feudalismo y el Islam*.

<sup>4</sup> *Los mozárabes de Toledo en los siglos XII y XIII*, ed. Ángel González Palencia (Madrid: Instituto de Valencia de Don Juan, 1922–1930); *Espacios y Fueros de Castilla-La Mancha (siglos XI–XV): una perspectiva metodológica*, ed. Javier Alvarado Planas (Madrid: Polifemo, 1995); *Privilegios reales otorgados a Toledo durante la Edad Media (1101–1494)*, ed. Ricardo Izquierdo Benito (Toledo: Instituto Provincial de Investigación y Estudios Toledanos, 1990).

<sup>5</sup> Classical historiography considers the city suffered a seven-year siege by Alfonso VI, but current studies contradict this version of events. Firstly, the operations conducted by the Christian king from 1079 till 1085 were intended to hold the local ruler, al-Qādir, in power, and not to take the city. Second, references to attacks describe small campaigns carried out by Christian knights eager for booty, rather than an extensive royal campaign to besiege Toledo for a long period. For the traditional view, see: Ramón Pidal, *Historia y Epopeya* (Madrid: Ed. Hernando, 1934), pp. 249–59. For new interpretations, see: José Miranda Calvo, *La Reconquista de Toledo por Alfonso VI* (Toledo: Instituto de Estudios

finally overthrown and sent to Valencia when the city capitulated. The new conquerors considered they were recovering the old Visigoth capital, lost in the eighth century under the advancement of Islam, and built one of the cornerstones of the idea of *Reconquista* around this military quest.

After that, the region underwent a transitional period. Even if the Christian conquest did not mean the immediate destruction of the old forms of organisation, from the very beginning there was an evident strategy to standardise the organisational patterns, breaking the fragile agreements established between the conquerors and the conquered. All these facts explain why the old *taifa* patterns disappeared to make room for new ones, in conformity with the conquering society.

The way in which those features were erased, how the new were introduced, and to what extent we can speak of continuity, is what we shall analyse through the experience of the Mozarab inhabitants, a group of Christians living under Islamic rule who adopted the language and some customs of their Muslim masters, while keeping their religion and their particular liturgy, known as the Visigothic or Mozarabic rite.<sup>6</sup>

The origins of the term “Mozarab” could be derived from the participle *musta'rib*, or *musta'rab*, past participle of the Arabic verb *ista'ra*, which means “to become similar to the Arabs” or “to assimilate Arab customs”.<sup>7</sup> The historical treatment of this community has been discussed extensively, often in connection with concerns about Spanish identity. From the end of the nineteenth into the early twentieth century, historians were divided between those who characterised the Mozarabs as the defenders of Christianity against the Muslim invaders, and those who accused them of having accepted Muslim domination in exchange for privileges.<sup>8</sup>

New perspectives on the subject emerged in the 1970s. Scholars such as Reyna Pastor de Togneri and Pierre Guichard decided to study not only the religious and cultural characteristics of the inhabitants of the Peninsula under Islam, but also their economic patterns, how they built their family ties, and their relationship with the tax system. Some of these issues were later addressed by Jean Pierre Molénat in an important study that attempted to establish the reality of the existence of the Mozarabic community of Toledo, and the extent to which their identity was strengthened or weakened after the Christian conquest.<sup>9</sup>

(footnote continued)

Visigótico- Mozárabes de San Eugenio, 1980); Ricardo Izquierdo Benito, *Alfonso VI y la toma de Toledo* (Toledo: IPIET, 1986); Bernard Reilly, *El reino de León y Castilla bajo el rey Alfonso VI (1065–1109)* (Toledo: Instituto Provincial de Investigaciones y Estudios Toledanos, 1989); José María Lacarra, “Dos tratados de paz y alianza entre Sancho el de Peñalén y Moctádir de Zaragoza (1069 y 1073)”, in *Homenaje a Johannes Vincke*, ed. Consejo Superior de Investigaciones Científicas y Técnicas (Madrid: CSIC, 1962–1963), pp. 122–34.

<sup>6</sup>The isolation imposed by the conquest of 711 resulted in the Iberian Christians keeping a ritual of Gothic origin. This was characterised by an offering, between the Gospel and the Preface, offering formulae, certain particular readings, the exchange of the kiss of peace, and a canon that varied on a daily basis and was shorter than the Roman. The Mozarabic church also followed late-ancient writings, including those of Augustine, Jerome, Isidore of Seville and Gregory the Great.

<sup>7</sup>Joan Corominas, *Diccionario crítico etimológico de la lengua castellana* (Madrid: Berna, 1954).

<sup>8</sup>Francisco Simonet, *Historia de los Mozárabes de España* (Madrid: Tello e Hijos, 1897–1903), Prologue; Claudio Sánchez Albornoz, *España: un enigma histórico* volumes I–II (Buenos Aires: Sudamericana, 1956), I: 178.

<sup>9</sup>Jean Pierre Molénat, *Campagnes et monts de Tolède du XIIe au XV e siècle* (Madrid: Casa de Velázquez, 1997).

Among the latest approaches, some historians have taken up Evariste Levi-Provençal's assumption of the existence of an Andalusí culture of which Mozarabs would be a testimony. Following this proposition, Diego Olstein asserts a certain "differential character" the Mozarabs had, a unique feature that distinguished them from the northern Christians.

One of the newest studies is the work of Richard Hitchcock,<sup>10</sup> who studies the evolution of the term "Mozarab" and stresses that the concept first appeared in a Latin document of Leon, dated 1026, and later in a Privilegium of 1106 signed by Alfonso VI, but there is no sign of this in the Arabic sources. So, rather than considering the Mozarabs as Christians living under Islamic rule, he proposes to study them as an Arabised population set within Christian communities.

This last point leads to the question of the real existence of a numerous Mozarab population.<sup>11</sup> At this stage, it seems useful to take into account the proposition made by Cyrill Aillet, who refers to the Mozarab issue as a situation of cultural interaction that a given population, the Christians of al-Andalus, maintained with Islam,<sup>12</sup> and we would like to add the special interaction they pursued with the Christians at a later time, the object of our study in the following pages.

### **The real extent of the continuities and ruptures**

This group of Arabised Christians, on the border between the two large communities of Muslims and Catholic Christians, seem to have been responsible for maintaining some of the traditions and practices from the Muslim period at an early stage of the Christian conquest.

Analysing the records of Mozarab sources gathered in the cathedral of Toledo, Olstein came to conclusions about the survival of eastern economic and identity patterns within the Mozarab community during the first century and a half after 1085.<sup>13</sup> By referring to documents of bargains, sale deeds transactions and agreements on the exploitation of land, Olstein points out the extent to which Mozarabs retained specific features typical of agreements made under Islamic rule. First, the formulae in the bargain and sale deeds had their origin in the manual of notary procedures written by Aḥmad b. Muḡhīt al-Tūlayṭulī (d. 1067), a supporter of the Maliki school, *al-Muḡnī' fī l-shurūt*.<sup>14</sup> Following this text, transactions fell under the legal concept of *bay'*, the actors in the transactions were *al-muta'āqidān*,

<sup>10</sup> Richard Hitchcock, *Mozarabs in Medieval and Early Modern Spain* (Aldershot: Ashgate, 2008)

<sup>11</sup> See the polemic between Jean Pierre Molénat, Reyna Pastor and Diego Olstein.

<sup>12</sup> Cyrill Aillet, *Les « Mozarabes » : islamisation, arabisation et christianisme en péninsule Ibérique (IX<sup>e</sup>-XII<sup>e</sup> siècles)* (Madrid: Casa de Velázquez, 2010).

<sup>13</sup> The use of Arabic, the presence in the documentation of typical Muslim statements for the invocation of God, for honourable treatment, respect for the dead, etc., and the undeniable testimony provided by the use of Arabic proper names and the structure of *nasab* is evidence for Olstein to affirm they assimilated a set of guidelines from the Arab-Muslim culture during the time of Islamic rule, giving birth to an "Andalusí culture", responsible for making them different from their fellow Christians from the north. Diego Olstein, "El péndulo mozárabe", 37–77.

<sup>14</sup> Aḥmad ibn Muḡhīt al-Tūlayṭulī, *al-Muḡnī' fī 'Ilm al-Shurūt (Formulario Notarial)*, ed. Francisco Javier Aguirre Sábada (Madrid: CSIC, 1994); *Formulario notarial hispano-árabe por el alfaquí y notario cordobés Ibn al-ʿAttar (siglo X)*, ed. Pedro Chalmeta and Federico Corriente (Madrid: Academia Matritense del Notariado, Instituto hispano-árabe de cultura, 1983).

and the object and price *al-ma'qūd 'alayhi*, indicating that traditional eastern customs still guided economic life.

But the Mozarab community also remained attached to their own ways of doing business according to the *Liber Iudiciorum*, a set of laws that, far from disappearing under Islamic domination, was kept as their inner legal code to solve internal affairs.<sup>15</sup>

The traces of these mixed Muslim and Christian traditions can be observed in the corpus of documents in the coexistence of eastern formulae and special statements warning that a purchase or a sale was to be conducted *على سنة النصارى في بيعهم* (“under the law of the Christians in sales”). Taking into account this evidence, María Luz Alonso has suggested that the Mozarabs must have been ruled by a special law, consisting of the *Liber Iudiciorum* and a customary law compatible with that of the Muslims.<sup>16</sup> Following this line, Olstein states that, between the twelfth and thirteenth centuries, there coexisted two different documentary records that reflected two different modes of allocating property: on the one hand, the records from the Mozarabic community, which operated within a market and, on the other hand, the sources left by the Christians from the north, which showed a process of allocation of land mostly by donation and conveyance of rights.<sup>17</sup> The overlap between these two systems was, according to Olstein, a sign of the extent to which the conquered Mozarab society managed to capture the conquerors in the first instance, a situation interpreted by the author as a *transculturation*, a process that turned the opposite way around the mid-twelfth century.<sup>18</sup>

It is undeniable that, in the documents, we can see individuals and institutions from the north as participants (usually buyers) buying and selling properties in the market, and following Mozarabic patterns. A very common explanation is that the feudal powers, aware of their fragile organisation and their low demographic weight, preferred to retain certain organisational features of the conquered society to ensure a minimal level of production and order. But, was Christian behaviour a consequence of the conditions imposed by the time of war? Or was it a strategy carried out to take advantage of a current system with the idea of guiding its future transformation?

<sup>15</sup> This, for example, can be seen on the status of women. The *Liber Iudiciorum* ensured that they were subjects of law with the same capacity to inherit and dispose of their property as their male peers, which can be seen in many Mozarabic documents that detail countless transactions made by women. The *Liber Iudiciorum* states: “*Ut sorores cum fratribus aequaliter haereditate succedant. Si pater vel mater intestati discesserint, sorores cum fratribus in omni parentum haereditate absque obiectu aequali divisione succedant*”, in *Fuero Juzgo en Latín y Castellano*, ed. Real Academia Española (Madrid: Ibarra, 1975), Book IV, Title 2, Law 1, p. 50. In the record of sources edited by González Palencia, the very first document, from 1083, mentions that a woman named Chamila, daughter of Farach, sold half of a vineyard to Rabí Buishac ibn Temerías. For more examples where women appear as active agents in transactions, donations and lawsuits, see the records in *Mozárabes de Toledo* n° 4 (1095), 58 (1158), 147 (1180), 152 (1181), 249 (1193), 711 (1292), 981 (1206), 996 (1241), 998 (1284).

<sup>16</sup> María Luz Alonso, “La perduración del Fuero Juzgo y el derecho de los castellanos de Toledo”, *Anuario de Historia del Derecho Español* 48 (1978): 335–77.

<sup>17</sup> Olstein, “El péndulo mozárabe”, 108.

<sup>18</sup> *Ibid.*, 100–1.

### **Destructuring and restructuring of Mozarabic property**

If, as we have suggested, Toledo went through a destructuring process as it changed from Islamic to Christian rule, the long-term survival of the economic and political conditions characteristic of the *taifa* could not be sustained (or imposed on the newcomers), since the society in which they acted experienced major changes. Thus, in the case of transaction and sale deeds, it should be borne in mind that the formulae taken from al-Tulayṭulī were no longer included in the set of Islamic traditional laws, but in a different one – a situation which promoted the future metamorphosis. It is therefore necessary to analyse the specific ways in which the northern Christians imposed their own patterns on the conquered, the social practices they followed, and how they faced any possible resistance.

Reyna Pastor states that the restructuring of the territory was accomplished by the implementation of three systems: the *presura*, when free peasants took land and established small or medium-sized rural properties; the *concejos*, especially in remote areas, where lands were distributed in full ownership to groups of free peasants governed by a charter, and where the monarchy reserved for itself the right to the direct pursuit of justice and collection of taxes; and, last and most prominent, the establishment of great ecclesiastical and secular properties, built on the basis of donations, direct appropriation of the territory, or purchases.<sup>19</sup>

This last practice was the most important and was responsible for major changes in both the agricultural landscape and the demographic and legal status of the inhabitants. It is possible to track it down in the same Mozarab documentation Olstein studied, challenging the idea of continuity and *transculturation*.

First, the trend towards the concentration of ownership in the hands of Christians from the north is noteworthy. Especially noticeable is the policy to acquire land and urban properties pursued by the Church and some monasteries. In many cases, the purchased property was next to or attached to one already in the hands of the buyer, a situation highlighted when the parts of the contract made clear that the new acquisition was: “bordering on the west side with other half (. . .) which belongs to the buyer”.<sup>20</sup>

Undoubtedly, the proximity to feudal institutions was a factor of pressure for landowners in the surrounding area, who, in the new context, found difficult to contest the advancement of the agents from the north. Unfortunately for our present understanding, the sources do not describe in detail the situation of the Mozarab sellers. We may suggest that the years of famine, war and depredation, and the inflationary periods 1079–1118 and 1182–1212 could have pushed those peasants trapped by debt into selling their properties. But we should also consider that many of these transactions could have been conducted under duress and threat, since the productive plots of the Mozarab community were part of the spoils sought by the seigniorial powers – powers that were accompanied by a legal and military apparatus that made possible their imposition in the new territories.

The documentation also allows us to appreciate that this progress meant more than a mere change of owners. In some cases, the clauses that accompanied the transactions provide evidence of a change in the relationship with the farmers too. Some sales were achieved with the condition that the seller (usually a family) kept

<sup>19</sup> Reyna Pastor de Togneri, *Del Islam al Cristianismo*, 98–9.

<sup>20</sup> *Mozárabes de Toledo* n° 92 (1170), 417 (1214).

the right to remain on the land in exchange for certain obligations or periodic payments to the new owners. Even when the purchaser was not necessarily a noble or a religious institution, there are traces of the imposition of obligations on the peasantry. For example, in 1214, “because of a debt”, Rodrigo and his wife Dominga sold a vineyard to Pedro Guillem and his wife. The sale involved a duty to the cathedral and it was clarified that the transaction was made “according to the *fuero* of giving each year the sixth part of the products from the sold farm to the Cathedral of Santa María”.<sup>21</sup>

These alterations in the field of social relations appear more clearly in documents that retain leases and planting agreements. Perhaps one of the strongest pieces of evidence is a deed of lease from 1217 between a Jewish couple and the cathedral. In addition to providing payment in currency, the document states that, in case the couple failed to fulfil their payment obligations, the lords of the cathedral were empowered to seize and sell the peasants’ goods “without warrant, or privileges or *calomnia* interdict by the law.”<sup>22</sup> It is important to stress that this last remark also appears in four leases signed by an abbess from the convent of San Clemente, Leocadia Fernandez,<sup>23</sup> but not in leases involving farmers and individuals who did not hold civil or ecclesiastical positions.

A series of planting contracts also demonstrates the way in which the new powers held positions of authority. The same abbess, Leocadia Fernández, signed three agreements with different families. In all of them she stated that, once the harvest ended, if the farmers wanted to sell their share, they should first offer it to the abbess. Only if Leocadia Fernandez was not interested would the peasants have the right to take it to other markets.<sup>24</sup> Similar dispositions were applied to last wills and testaments, which also benefitted this institution.<sup>25</sup>

If we keep in mind that the advancement of the great secular and ecclesiastical powers was accompanied with rights and immunities, it is correct to say that we are witnessing the early development of personal dependencies that transformed the nature of the social relationship between Mozarab farmers and feudal powers. Moreover, with the addition of “compulsory” sales and the change in the social relationship established between sellers and buyers the difference from the typical forms of lease agreements of the *taifa* period increased. The farmer formerly known as an *exaricus* seems to have lost many of his rights, and his embroilment in new powers and duties now entails new and different charges, far removed from the previous situation.

In response to these innovations, some acts of resistance were expected. The documents indicate conflicts between the new buyers and the Mozarabs dispossessed of their land. Most of the records of sale include clauses that limit the rights of heirs, reinforcing the change of ownership against possible future claims by children and grandchildren.<sup>26</sup> The addition of such formulae is a clear indication that conflicts had occurred and, in some cases, they were brought to

<sup>21</sup> *Mozárabes de Toledo* n° 416 (1214).

<sup>22</sup> *Mozárabes de Toledo* n° 910 (1217).

<sup>23</sup> The leases offered by Leocadia Fernández are in *Mozárabes de Toledo* n° 915 (1258), 915bis (1259), 916 (1260) and 917 (1261).

<sup>24</sup> *Mozárabes de Toledo* n° 930 (1159), 931 (1257), 933 (1260?).

<sup>25</sup> *Mozárabes de Toledo* n° 727 (1137).

<sup>26</sup> Among the formulae these documents contain, the purpose of one was to forbid any possible claim after the transaction. See: *Mozárabes de Toledo*, T.I, 250.



justice. For example, in 1212 Vicente ibn Saad gave up the olive trees whose ownership he was disputing with the powerful convent of San Clemente, one of the monastic houses that acquired large tracts of land.<sup>27</sup> Earlier, in 1184, a lawsuit was presented to Archdeacon Domingo ibn Abdallah member of the Polichení family, on behalf of the cathedral, along with the inhabitants of the town of Alameda (property of the cathedral) who had worked on the land without permission. This resulted in a boundary dispute.<sup>28</sup>

These features, which appear with a certain regularity in the documentation, are evidence of attempts made by the heirs of the sellers to recover the lost land, unaware of the terms signed by their parents or grandparents. The sales led, in the medium term, to the impoverishment of the Mozarab families, since they disinherited their descendants, pushing them to a situation of economic weakness, and bringing them within the orbit of the feudal powers. The reactions of the Mozarab community indicate their struggle against a type of dependency and duties unknown to them until then.

Another practice that could have worked as a way of resisting the new powers was the *proindiviso*, a traditional system of co-ownership. The *proindiviso* brought together a group of owners who might or might not be related. They would agree to pool their properties, and future purchases and sales would be in equal shares. The owners of a property who were under co-ownership had a pre-emptive right to acquire those parcels that went on sale, a measure taken to reassure the ownership of the group. But this system was not effective enough to resist the advancement of the powerful new buyers, who exploited this practice to their advantage. Once they managed to buy a plot in a land under *proindiviso*, they themselves occupied a member position in the group, so in future sales they would enjoy priority for purchasing. One of the most notorious examples is that of the aforementioned Archdeacon Domingo ibn Abdallah the Polichení, who made purchases for himself, and again on behalf of the cathedral, some of them being under the rule of *proindiviso*.<sup>29</sup>

So far, taking into account the policy of concentration of land, the change in social relations, and the destructuring of traditional arrangements such as the *proindiviso*, the overall impression is of a destructuring process, which makes it very difficult to accept Olstein's claim about an initial period when the Mozarabs managed to impose their market transaction system on the Christians newcomers. The use of formal guidelines to write the documents, and its mimicry of eastern forms, should not obscure the fact that the very same sources show that the feudal powers achieved progress by becoming involved in the existing practices in order

<sup>27</sup> *Mozárabes de Toledo* n° 994 (1212): "Testimony given by Vicente ibn Saad (...) He claimed that he has no right to the five olive trees... He also testifies that he gives up the claim against the nuns of San Clemente...". Purchases this convent pursued are detailed in the following records: 18, 62 (1160), 119 (1175), 122 (1176), 123 (1176), 129 (1177), 177 (1185), 186 (1187), 188 (1204), 190 (1204), 193 (1204), 195 (1204), 338 (1204), 339 (1204), 384 (1211), 395 (1212), 421 (1215), 429 (1216), 432 (1217), 433 (1217), 437 (1217), 442 (1218), 448 (1221), 464 (1221), 467 (1222), 467 (1222), 472 (1223) 475 (1224), 483 (1226), 487 (1227), 491 (1225) 492 (1237), 521 (1237), 1096 (1175). It also received donations: 1052 (1203), 941 (1203), 326 (1203), 605 (1258), 732 (1160), 733 (1168), 1022 (1258), 1025 (1258), 1028 (1258), 1030 (1258), 1068 (1160).

<sup>28</sup> *Mozárabes de Toledo* n° 1008 (1184).

<sup>29</sup> *Mozárabes de Toledo* n° 134A (1177): "Juan Martínez and his wife, Solí, sold to the Archpriest Domingo ibn Abdallah the Polichení half a quarter of three quarters... of the corral, houses... orchard and lands that Pedro Micael had in the *alquería* of Cobisa... everything *proindiviso*...", 134B (1177).

to use them, while at the same time changing their nature. This hypothesis could be strengthened by further study of the information taken from the *fueros* or privileges given by the monarchy.

### **The *fueros* granted to Toledo: strategies of co-option and segregation**

The *fueros*, or privileges, were, by definition, instruments for the annexation of a region and its management. They were not political principles or long-term projects. Given their nature and malleable character, they were often seen as lacking power and were likely to be disobeyed. However, this versatility and capacity for change was actually conducive to the advancement of the feudal patterns. Mozarab studies usually concentrate on the first charter granted to Toledo by Alfonso VI in 1101, but for a proper analysis of how they were treated by the new authorities and the changes they underwent, it is essential not to limit the analysis to this aspect alone, but to extend it to the subsequent *fueros*.

In the first document, the well-known *Carta de los Mozárabes de Toledo*, the conqueror, King Alfonso VI, permitted the Mozarab population to follow the *Liber Iudiciorum* and also recognised a private jurisdiction for Franks, Castilians and Mozarabs. However, it is particularly noteworthy that, concerning the payment of the *caloñas* (fines imposed for certain crimes and misdemeanours), everyone had to follow the provisions of the Castilians.<sup>30</sup> It is clear that the “levelling” in the situation of the entire population was achieved by using the methods of the Castilians as a model.

This provision represented a major change for the Mozarab inhabitants, since taxation was now organised very differently from the typical Islamic laws they were accustomed to.<sup>31</sup> Moreover, the new taxes imposed by the Christian monarchs took the form of feudal claims, which had implications for the legal freedom of the individuals to be taxed. Even if part of the previous tax system was retained for some time, evidence indicates that it did not penetrate deeply into the Christian law; neither did it change the way the feudal rent was received and consumed.<sup>32</sup>

<sup>30</sup> *Carta de los Mozárabes de Toledo*, from 1101: “. . . Et de quanta calumpnia fecerint, quintum solummodo persolvant, sicut in carta Castellanosum resonat (. . .) Et de omnia calumpnia talem eis mando habere consuetudinem, qualem et castellanis in Toletto commorantibus”, in *Espacios y fueros de Castilla-La Mancha*, 124.

<sup>31</sup> The *dhimma* (Islamic system that granted protection to the “people of the book”) included a tax non-Muslims had to pay *jizya* and *kharāj*. The *kharāj* was a tax on land paid by the *dhimmi*s for the use of the land in regions that had capitulated to Islam. The tax became permanent, even if those who occupied the land converted to Islam. It was paid in kind on a yearly basis and the amount was proportional to the amount of land available. The *jizya* was a poll tax on non-Muslims living under Islamic rule. It was the price paid by the infidels for the right to dwell in Islamic lands and benefit from public security and protection from external attacks. The *jizya* rate varied according to the *dhimmi*’s wealth. The community was responsible for collecting and delivering. Felipe Maíllo Salgado, *Diccionario de derecho islámico* (Gijón: Trea, 2005).

<sup>32</sup> José Damián González Arce argues that the system of tithes received by the Christian crown at the beginning of the conquest was derived from the Islamic one. He suggests that this tax would initially have been placed under the control of the monarchy, but tended to decrease progressively with the policy of repopulation. However, far from vanishing completely, it was later monopolized by the nobility. This analysis is mainly speculative, however, due to the absence of documentation. See José Damián González Arce, “Del diezmo islámico al diezmo real: la renta agraria en Toledo (ss. XI–XV)”, *Historia Agraria* 45 (2008): 17–39.

But changes were not only imposed by force. The newcomers also applied a policy of co-option. In another clause of the *Carta* from 1101, the king allowed the wealthy local Mozarabs to be treated equally with the Castilians, opening up the possibility of becoming *miles* for those who had a horse and were fit for war.<sup>33</sup> Through this device of co-option, the monarchy promoted the integration of some new subjects into the new elite. From the moment they accepted their inclusion into the ruling group, it is likely that they would have acted according to the customs characteristic of the northern Christians. In this particular case, if a man named as a new *miles* and included in the cultural sphere of the northerners was a community leader, it is conceivable that the rest of the Mozarabs would have found themselves without direction and unprotected against the “westernising” advance.

The analysis of the following *fueros* allows us to track these changes. In a reconfirmation of a privilege dated from 1118 (although it is thought to have been written between 1159 and 1166), the attempt to standardise the population appears at a symbolic level. It starts by mentioning the three ethnic communities, but ends up grouping all of them in the category of “citizens”.<sup>34</sup> The objective of assimilating the population into European-feudal patterns is manifest in the general address to “Christians”, removing any further specific mention of Mozarabs, and corroborating again the same legislation in terms of privileges and burdens for everybody.

This dynamic is also evident in the following documents where the group is less individualised. There is a brief reference to them, along with Castilians and Franks, in a privilege granted by Alfonso VII (r. 1126–1157) to all Christian people of Toledo (Mozarabs, Castilians and Franks)<sup>35</sup> in 1137, and again in a reconfirmation given by Alfonso VII in 1155.<sup>36</sup> But in the reconfirmation of the *fuero* by Alfonso VIII (r. 1158–1214) in 1174, the group is no longer listed as Mozarabs.<sup>37</sup> Neither was the term found in a charter for the elimination of taxation on inheritance levied upon the knights of Toledo in 1182,<sup>38</sup> nor in the award of 200 *maravedies* made by Alfonso VIII to the council of Toledo,<sup>39</sup> nor when the king reconfirmed to the knights of Toledo that their properties were exempt from taxation in 1202,<sup>40</sup> nor in the granting to Toledo of a wheat house.<sup>41</sup>

However, the term Mozarabs re-emerged in a *fuero* by Alfonso X (r. 1252–1284) from 1259. It is interesting to see how the Mozarab factor is viewed in this document in terms of lineage: first, there is a broad reference to all the knights who had populated the area, and, later on, to the granting of the same rights as those the knights enjoy to those who came from the “lineage of the Mozarabs” and had the

<sup>33</sup> Carta de los mozárabes de Toledo, from 1101: “*Et do eis libertatem, ut qui fuerit inter eos pedes et voluerit militare, et posse habuerit, ut militet*”, in *Espacios y fueros de Castilla-La Mancha*, 124.

<sup>34</sup> *Fuero* from Toledo, circa 1166: “*ut nullus iudeus, nullus super renatus mandamentum super nullum christianum in Toletto nec in suo territorio . . . Sic etiam honorem christianorum confirmavit, ut maurus et iudes si habuerit iudicium cum christiano, quod ad iudicem christianorum, veniat ad iudicium*”, in *Espacios y fueros de Castilla-La Mancha*, 131–7.

<sup>35</sup> Privilege from 1137: “*Facio cartan donationis et confirmationis ómnibus cristianis . . . mozeravos castellanos francos . . . ómnibus illis cristianis qui in Toledo habuerint*”, in *Privilegios reales otorgados a Toledo*, 97.

<sup>36</sup> Privilege from 1155, in *ibid.*, 99–100.

<sup>37</sup> *Fuero* from 1174: “*fecit omnibus civibus Toletanis . . . ad omnes christianos de Toletto*”, in *ibid.*, 101.

<sup>38</sup> Privilege from 1182, in *ibid.*, 102–3.

<sup>39</sup> Privilege from 1196, in *ibid.*, 104–5.

<sup>40</sup> Privilege from 1202, in *ibid.*, 105–6.

<sup>41</sup> Privilege from 1203, in *ibid.*, 107–8.

sword.<sup>42</sup> The importance of lineage grew in a society that, from 1085, witnessed the arrival of new residents, fuelling the need for differentiation. If we examine this reaction in a context of “westernisation”,<sup>43</sup> which also affected cultural and religious aspects, the importance of lineage could be interpreted as a reaction of the Mozarab leading sector, which looked for some way to stand out, especially from the Castilians.

Molénat has rebuilt some of these Mozarab lineages and from his research we observe that many of the male members of the most identifiable families held administrative positions such as *alguacil-alcalde* (Illán Pérez, Esteban Illán, ‘Attāf ibn Lanbazar), *alcaid* (Sabīb ibn ‘Abd al-Rahmān) and *zalmedin* (Illán Perez Melendo ‘Abd al-‘Azīz ibn Lampader).<sup>44</sup> The people who held these positions, despite retaining their eastern names, transformed their nature to suit the new western standards, and showed the extent to which holding a position of authority made them beneficiaries of economic incentives, such as royal donations. This was the case with Juan ibn Ayyūb, a descendant of Attaf ibn Lanbazar, who received two *alquerias* from the king,<sup>45</sup> or Alfonso, from the lineage of the Petrez family, who appears as a major buyer of properties.<sup>46</sup>

We can once again see how a sector of the native population is included in the new culture by the new rulers in exchange for profits. Certainly, the maintenance of these traditional authorities was necessary in the early years of the Christian conquest in order to sustain minimal organisation, and to ensure the running of the economy and the flow of taxation. But these positions under Christian rule were adapted and exploited by individuals who secured their appropriation for their families. This seems to have been the case with Imran, *alguacil alcalde* and *alcaid*, whose son Esteban received royal approval for his position as *alguacil zalmendin*, or Pedro ibn ‘Abd al-Rahmān ibn Yahyā ibn Hārith, who succeeded his father Abū Zayd as *alguacil alcalde*, to name but a few.<sup>47</sup>

All in all, the new economic patterns circumvented the old forms and found a field for their advancement with fewer and fewer restrictions. The removal of obstacles in the purchase of lands and properties benefited the newcomers from the north who, given their social status and positions in the royal and ecclesiastical structure, enjoyed a privileged access to wealth. This explains why the implementation of a policy of estate purchasing by members of the nobility and the Church took place in parallel to the exodus of the Muslim population, and the expropriation of most of the Mozarab community.

In this process, the *fueros*, given their flexible nature, served two goals: they worked as a tool of co-option for some high-ranking Mozarabs within the community, and they also concentrated the authority in the hands of the newcomers. To sum up, Mozarab mobility was in fact controlled and restricted so that they would not compete with Castilians and Franks. In this respect,

<sup>42</sup> *Fuero* from 1259: “E otrossi por fazer bien et merced a los cavalleros moçaraves de Toledo que vienen derecha mientras del linaje de los moçaraves ma quien cinnieron espada los de nuestro linaje... otorgamos que ayan este mismo quitamiento de moneda que otorgamos a estos otros cavalleros...”, in *ibid.*, 123.

<sup>43</sup> Pastor, *Del Islam al Cristianismo*, 9.

<sup>44</sup> Molénat, *Campagnes et monts de Tolède*, 95–6.

<sup>45</sup> *Mozárabes de Toledo* n° 1049 (1155).

<sup>46</sup> *Mozárabes de Toledo* n° 1107, 1108.

<sup>47</sup> Molénat, *Campagnes et monts de Tolède*, 90–101.

the religious element played a major role, since it discredited Mozarabs and served to segregate them and neutralise their social advancement.

### **Rite, religion and the restructuring of Mozarabic identity**

The Mozarabs found themselves included in the struggle that the Holy See conducted to unify the Church. In this context, fuelled by the Islamic presence, the existence of different liturgies was perceived as a serious problem. In fact, as early as 1065, a papal legate, Hugo el Blanco, was sent to the Peninsula by Pope Alexander II (r. 1061–1073), who was dismayed by the lack of unity of the Catholic faith.<sup>48</sup>

Since the time of Gregory VII (r. 1073–1085), many Iberian kings had joined the reform plan and assumed the role of vassals of Rome, a strategy adopted to justify the territorial occupations that they were achieving. In Toledo, the alliance between the Church and monarchy concluded with the appointment of Bernardo (a French Cluny monk) as Archbishop of the city. Bernardo and Alfonso VI accepted the unification programme driven from Rome and criticised Mozarabic particularism for being a *superstitio*.<sup>49</sup>

Scholars continue to make assumptions about the king's behaviour. Some ascribe his attitude to the pressures from his wife Constance and the influence of Cluny, an institution that Alfonso VI supported with the wealth obtained in his raids in al-Andalus, as well as an annual payment of 2,000 dinars. These influences could have led the king to overlook the promises of tolerance for Muslims, and the privileges given to the Mozarabs.<sup>50</sup> Others posit a different explanation: the king's obedience to Rome was due to his need of an ideological justification for their conquests against the possible claims of other Iberian kings.<sup>51</sup> While both theses contain plausible elements, it is important to evaluate a third option: the characteristics of the secular authorities and what their aim would have been in using the Church's ideas as their own. The two noble branches, secular and

<sup>48</sup> Letter from Alexander II (1071), Alexander II monasterii S. Joannis Pinnensis, praesente Hugonem Candido presbytero cardinali a Sancio Hispaniae rege cum caeteris monasteriis B. Petro, protectionem suscipit et privilegia instituit: "...Apostolicae sedi non nostris meritis, sed sola Dei misericordia praesidentis, accepimus, in partibus Hispaniae, catholicae fidei unitatem a sua plenitudine declinasse, et pene omnes ab ecclesiastica disciplina et divinorum cultu interiorum aberrasse. Itaque, instigante nos commissae sanctae et universalis Ecclesiae providentia, ad correctionem Ecclesiarum Dei, filium nostrum Hugonem Candidum, et cardinalero presbyterum, in partes illas misimus, qui divina suffragante elementia Christianae fidei robar et integritatem ibi restauravit, Simoniacae haeresis inquinamenta mundavit et confusus ritus divinorum obsequiorum ad regulam canonicam et ordinem reformavit...". in Jacques Paul Migne, *Patrologia Latina* volumes I–CCXXI (Paris: Garnier, 1853), CXLVI: 1362–3.

<sup>49</sup> A testimony to the Papal concern about the Mozarab rite is recorded in letters sent to the Iberian kings: Gregory VII: Epístola LXIII Ad Sancium regem Aragoniae (1074): "...et ad vos nuntium nostrum mitemus, qui hanc et alias necessarias causas diligente examine perquirens, singulis quibusque determinationis finem imponet"; Epístola LXIV Ad Alphonsum castellae, et Sancium Aragoniae reges: "...Romanae Ecclesiae ordinem et officium recipiatis, non Toletanae..."; and Epístola II Ad Hugonem Abbatem Cluniacensem (1080): "...Specialiter autem admonemus ut Robertum illum, qui supradictae iniquitatis auctos exstitit, qui diabolica suggestione Hispaniensi Ecclesiae tantum periculum invexit...". in Migne, *Patrologia Latina*, CXLVIII, pp. 339–340, 575–576. See Herbert Cowdrey, *Pope Gregory VII 1073–1085* (Oxford: Oxford University Press, 1998).

<sup>50</sup> Hitchcock, *Mozarabs*, 79.

<sup>51</sup> Ramón González, "La persistencia del rito hispánico o mozárabe en Toledo después del año 1080", *Anales Toledanos* 27 (1990): pp. 9–33.

ecclesiastical, shared a common field of education in certain areas, and were often related. This common origin and background drew them towards mutual defence when the situation required it. Therefore, it is legitimate to interpret the policies of the monarchy as part of a scheme in which the confessional issue was a valid concern, in spite of somewhat ambivalent attitudes. It is well known that Alfonso VI allowed the celebration of the Mozarabic rite for a certain period. However, there were no specific and active policies that might have preserved this liturgy in the long term. On the contrary, it is clear that a series of steps were implemented to weaken Mozarabic culture.

Mozarabs soon found out that the right to name their patriarch was withdrawn and that their rites were reformulated in line with the Roman style. Archbishop Bernardo was also responsible for changes in the cathedral. Until then, the old basilica of Santa María was recognised as the main church, but Bernardo chose to occupy the Great Mosque and make it the new central church. It is unclear whether the capitulation of the city included a clause dealing with the Great Mosque but the monarchy undoubtedly took an active role in this event. In a letter from Alfonso VI to the cathedral of Santa María de Toledo, the king delivered into its keeping a number of goods previously held by the Mosque.<sup>52</sup>

Two consequences resulted from this action. First, the archdiocese took over the wealth of the main Muslim mosque in the city and, second, the power of the ancient Mozarabic basilica was neutralised, breaking the ties with the native ecclesiastical hierarchy. In addition, a new parish organisation was imposed and Mozarabs now found themselves linked to local churches according to their place of residence, removing the traditional family membership that was the rule until that time. Unfortunately, there is not enough information about this major change and the evidence begins to evaporate when attempts are made to prove it.

Another third and significant arrangement was the displacement of Mozarabs from the position of deans. Those who were interested in moving up in the ecclesiastical hierarchy had to give up their traditional Mozarabic rite. Again, it is noticeable that there was little respect for the guarantees that had been promised at the time of the Christian entry into Toledo and the implementation of a policy of cultural reconversion. As Joseph Torr6 points out, the feudal expansion took the form of a process of population replacement that could be considered total (in the case of Jews and Muslims) or partial (Mozarabs).<sup>53</sup> But we should consider whether this “partial replacement” of the Mozarab population was really a physical replacement or whether it was a process of acculturation by which it was the identity that was replaced.

The native Christian population reacted with both resistance and assimilation. Under resistance, we can include the flight of Mozarab monks from the monastery

<sup>52</sup> Carta de dotación de Alfonso VI a la Catedral de Santa María de Toledo (1085): “. . . *Et omnes illas hereditates seu casas et tendas quas habuit his temporibus quibus fuit mezquita maurorum, do ei et confirmo, quam est facta ecclesia Christianorum, insuper partem meorum laborum que habuero in hac patria similiter, et terciam partem decimarum omnium ecclesiarum que in eius diocesi fuerint consecratem sed et omnia monasterio que fuerint in hac ciuitate consecrata sibe Deo dicata tue prouidencie omnimodo perspicienda esse mando . . .*”, in A. H. N., C6dice n° 987, B, fol. 1.

<sup>53</sup> Joseph Torr6, “Colonizaciones y colonialismo medievales: la experiencia catalana-aragonesa y su contexto”, in *De Tartessos a Manila. Siete estudios coloniales y poscoloniales*, ed. Gloria Cano and Ana Delgado (Valencia: PUV, 2008), pp. 91–118.

of Sahagún, the attacks on Cluny monks in Cardaña, the aggressive tone with which many historians describe all those who came from the Frankish kingdom, and incidents like those narrated by Rodrigo Jiménez de Rada, in which the lower clergy and the people protested against the innovations imposed during a visit by a papal legate.<sup>54</sup>

On the other hand, some Mozarabs reconsidered their loyalty to their liturgy and chose to join the Roman side. In this case, attaining a position in the Roman Church meant for some the possibility of holding positions of power and improving their personal situation. One of the paradigmatic cases was that of Domingo ibn Abdallah the Polichení, who took advantage of his position as archpriest and later as archdeacon of Toledo and Madrid, and from there pursued a policy of property purchasing. As in the case of the lineage previously studied, the Polichení knew how to combine its integration into the new class of power by the accumulation of land.

But the consequences of this process of assimilation do not only affect those individuals directly involved. For every Mozarab assimilated into the northern culture, there were groups of farmers and artisans that suffered the gradual dismantling of their culture, and the loss of their community leaders. The reconstruction of the experiences of the Mozarabic masses is partial, since we do not have enough information, but the study of the evolution of the language allows us to reconstruct part of this unrecorded experience.

The Christian conquest in 1085 exposed the Mozarabs to the same dilemma that they had faced long before following the Muslim invasion of Iberia. In both situations, it was imperative to build a dialogue between conquerors and vanquished. As important as the decision to adopt Arabic in the eighth century, was the decision in the eleventh century to adopt Romance, which had actually not disappeared under Muslim rule. This explains the relative speed with which the Mozarabs abandoned Arabic and began to speak Romance, a change that can be seen in the Mozarabic documents from the cathedral, and which Olstein defines as a “linguistic turn”.<sup>55</sup> A testimony to this progress is a clause, especially common near the end of the twelfth and early thirteenth centuries, that made explicit that the letter in question was read: “. . . after explaining to all its meaning in a language they understood and declared themselves to understand” or “After being read in Romance”.<sup>56</sup>

Another major change, linked to the language shift, took place in the field of personal names. There is a progression that shows the adoption of the most common Castilian names, among which Juan, Pedro, Domingo, Miguel, Gonzalo and Martín stood out, substitutes for Arab names such as Jálaf, Yahya, Sufián, Suleimán, Abdalá, Jair, Hosaín, etc., a change particularly noticeable between 1161 and 1180.<sup>57</sup>

Some documents allow us to observe this evolution within the same family and even before 1161. For example, in 1129 a piece of land was sold by Albufarach

<sup>54</sup> “*Verum ante revocationem clerus et populus totius Hispaniae turbatur, eo quod Gallicanum officium suscipere a legato et Principe cogebantur*”, in Rodrigo Jiménez de Rada, *Historia de rebus Hispaniae*, ed. Juan Fernández Valverde (Turnhout: Brepols, 1987), lib. VI, cap. 25, p. 139.

<sup>55</sup> Diego Olstein, *La era mozárabe: los mozárabes de Toledo (siglos XII y XIII) en la historiografía, las fuentes y la historia* (Salamanca: Ediciones Universidad de Salamanca, 2006), p. 126.

<sup>56</sup> *Mozárabes de Toledo* n° 981 (1206), 1098 (1169), 1100 (1193) 1104 (1216); Olstein, *La era mozárabe*, 134–5.

<sup>57</sup> Olstein, *La era mozárabe*, 129–30.

ibn Abisauar and his daughter, named Dominga.<sup>58</sup> In other records of purchases, we are informed that a certain Otsmán ibn Uazlán named his son Martín; Temam the Rotlequí called his daughters Eugenia, Cristina, Dominga and Justa; and the *alguacil* Mair Temam baptised María, one of his descendants.<sup>59</sup>

As Olstein indicates, the anthroponymic change was one of the first steps in the reconstruction of group identity and, from our perspective, it is closely related to the mutation of the rite, the parish organisation, and the appointment of new ecclesiastical authorities. If we consider that the entry into Christendom depends on baptism, this ceremony became a key moment in the adoption of new names, fostered by the clergy who supported Rome.

Given these shifts, we should now analyse the meaning of these changes. Are we witnessing a process similar to that of previous centuries, when Christian natives adopted Arab language and dress in order to negotiate their coexistence with the Muslim rulers? At first glance, both situations seem to be similar. However, a more in-depth look shows that the arrival of the Christians led to different consequences.

The adoption of the Arabic language and a range of eastern cultural patterns was a formula that allowed the Mozarabs to accommodate their everyday life under Islam. The authorities in al-Andalus assured them, in return, of a number of rights and obligations. But also, and above all, they limited their possibilities and their political, economic and military aspirations.

Can what happened after Toledo fell to the Christian armies be interpreted differently? Under Christian rule, the Mozarabs became a cultural rather than a religious minority. And, in this context, the possibility of joining the group of newcomers became feasible for some of them. First, they did not need to renounce Christianity. It was the liturgy that was condemned as a *superstitio*, not their faith in itself, so the move towards the Roman sphere was at a certain level easier than adopting a different faith. It did not involve apostasy, or the loss of family and social ties. For those who chose to join the Roman liturgy, the shift involved the readjustment of their ritual, and of some organisational aspects in their parishes, with a new factor: the previous limitations disappeared, since they were now considered full members of Christendom.

Faced with this reality, the group showed how far they were from being a monolithic community, and made various responses, ranging from total and voluntary assimilation, to the loss of identity due to their inability to counter the combined dismantling of their culture and rite, together with the assaults on their rural and urban properties.

<sup>58</sup> *Mozárabes de Toledo* n° 17 (1129): “Sale of a sort of land in Manzel Ratzín made by Abulfarach ibn Abisauar and his daughter Dominga, to Zacaría ibn Otsmán . . .”

<sup>59</sup> *Mozárabes de Toledo* n° 33 (1146): “Sale of an orchard made by Martín, son of Otsmán ibn Uazlán . . .”; GP 38 (1149): “Testimony of the sale of a hamlet in the ‘*alquería*’ of Rielves . . . which was property of Temam el Rotlequí . . . given by the nun Eugenia and her sister Cristina, daughters of Temam el Rotlequí, and by María and Leocadia, daughters of Dominga, daughter of Temam, and by Martín and Domingo, sons of Justa, daughter of Temam . . .”; *Mozárabes de Toledo* n° 727 (1137): “Donation given by María, daughter of the ‘*alguacil*’ Mair Temam, to the cathedral of Santa María de Toledo . . .”



## Conclusions

From the study of the documentation from the Mozarab community and the *fueros* granted by the crown, there emerges a picture of the years immediately following the conquest of 1085 that can hardly be understood on the basis of an idea of continuity.

The northern Christians not only imported their own forms of organisation for themselves, but, by means of various devices, managed to introduce them into the existing structure and thus to transform it from within.

To accomplish this goal, they followed policies of assault and co-option, both of them expressions of governance and power, which were undertaken to achieve the desired effect with the Mozarab community.

To this end, the symbolic and religious aspects were as important as the economic in that they showed the extent and limits of the plasticity of feudalism. While the feudal patterns seemed to be sufficiently resilient to adapt themselves to other patterns for a certain period without losing their essence, in the long term, and once the system had gained a territory base, the conquerors needed to standardise the forms of organisation and the identity of the communities they were taking over. In this sense, the system's inability to ensure the long-term coexistence of different religious groups is marked, and might lead us to pursue studies to compare it with other forms of organisation within and beyond the European scenario.