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SEXUAL VIOLENCE IN
LAS JARCHAS

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Associate Professor of Spanish

*Faculty Center for Learning and Teaching
Rodney A. Briggs Library*

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Faculty Research

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SEXUAL VIOLENCE IN LAS JARCHAS

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What surprises many readers who possess preconceived notions about Muslim women and their place within Muslim society is the candor with which female desire is expressed in the jarchas (Viguera “Social Status” 709). Consider these explicit examples that refer to a specific sexual posture:

Tú no me verás sino (es) con la condición de que juntes las ajorcas de mis pies con mis pendientes. (Jarcha XLVIII, Sola-Solé 290; Stern (1948) 29; Heger 29; García Gómez IX)

[I shall not love thee save thou joinest the bangle of my ankle to my ear-rings. (Translation found in Viguera “Social Status” 524 and García Gómez *Las jarchas romances* 145)]

No te amaré
si no es con la condición
que unas mis ajorcas
con mis arracadas. (Rubiera Mata 43-44)

[I will not love (make love to) you unless you join my anklets to my earrings. (My translation¹)]

Amiguito, decídete,
ven a tomarme,
bésame la boca,
apriétame los pechos;
junta ajorca y arracada.
Mi marido está ocupado. (Rubiera Mata 44)

¹ Translations from Spanish to English are likely those of the scholars indicated. Where no English translations are available, I have translated passages and poems myself and have so indicated. In the case of the poetry, other, possibly superior, English translations may exist, but I have not come across them in the course of my research.

[My little lover, be resolute. Rise and attack me. Kiss my mouth, come and embrace my breast and raise my anklets up to my earrings. My husband is busy. (Translation found in Zwartjes 214)]

As James T. Monroe observes in his study “The Muwashshahat²,” “... the *kharjat* [jarchas] do not always deal with a pure, virginal love as some would have it” (357). Ibn Sana’ al-Mulk remarks that “... the condition is that its expressions should be erotic and moving, enchanting, alluring, germane to passion” (Stern (1974) 33; Zwartjes 189). While some jarchas are indeed romantic, some are lurid, and some are violent, thereby representing a multiplicity of the dimensions of sexual relationships. Monroe also cites two jarchas that appear to reveal scenes of sexual violence, although he makes no specific mention of theme in his study “Studies on the ‘Hargas’: The Arabic and the Romance ‘Hargas’.”

There appears to be a tendency on the part of numerous scholars, however, to view all expressions of sexuality through an androcentric lens as part of a vast repertoire of consensual sexual activities, denying what appears at least to this scholar as direct, unmistakable expressions of sexual violence.

Many scholars have endeavored to categorize the jarchas in order to find commonalities in their thematic relationships. Unfortunately, many of these categories fail to recognize the inherent sexual violence so obvious to this scholar. In “The Theme of Love in the *Mozarabic Jarchas* and in *Cante Flamenco*,” Robert W. Felkel categorizes a number of jarchas under the heading “Suffering and Pain in Love” (Felkel 27) and notes that “While there is nothing quite so brutal in any of the *jarchas*, we do see from time to time an allusion by the female speaker to the (*relative*) *violence* of her beloved” (My emphasis, Felkel 29). In *The Female Voice in Medieval Romance Lyric*, Doris Earnshaw comments that “... we recognize the themes contained in the poet’s introduction: dying for love, lament for the absent lover, fear of the guardian, *the indelicate lover*, praise of the beloved’s beauty....” (My emphasis, Earnshaw 77). Finally,

²There are numerous spellings for this word, including, but not limited to, *moaxaja*, *muwassaha*, and *muwashsha*.

in “Veinticuatro jaryas romances” noted jarcha scholar Emilio García Gómez has categorized a number of jarchas as “... *quejas, entre complacidas y doloridas del habib [amigo] indelicado o atrevido; lamentos de ausencia, o de abandono, o de desvío, o de maltrato; desesperación.* [“... laments, both pleasurable and painful, inflicted by the indelicate or daring friend; laments of absence or of abandonment or of deflection or of abuse; desperation.”] (My emphasis and translation, García Gómez “Veinticuatro jaryas romances” 66 [10]).” In *Las jarchas romances de la serie árabe en su marco* he writes in reference to a particular jarcha that

Salvo que al final de la jarcha, sin duda por coquetería, la muchacha amenaza con ‘negarse a todo’ ... La, a mi juicio, desafortunada hipótesis que ha sido formulada a base de una rebuscada lectura de la jarcha, de que la heroína de ésta daría a su amante permiso limitado a determinados escauceos en particulares zonas de su cuerpo, ...

[Except that at the end of the jarcha, undoubtedly in an act of flirtation, the girl threatens to deny him everything ... In my assessment, the unfortunate hypothesis that has been formulated on the basis of a careful reading of the jarcha is that the heroine would give her lover limited permission to fondle only particular zones of her body, ...] (My translation, Gómez García *Las jarchas romances* 246).

In her study “La imagen de la mujer a través de los poetas árabes andaluces (siglos VIII-XV),” Celia del Moral Molina also makes reference to “[el] amante indelicado a cuyo daño físico se niega la mujer [the indelicate love whose infliction of pain the woman rejects]” (My translation, Moral Molina 724). While she does go on to include a section titled “Agresiones físicas” [“Physical Aggression”] in her study, she diminishes its severity by relegating it to an element of courtship or foreplay, unpleasing to the woman.

El tema de la agresión física a la mujer por parte el hombre, dentro de las relaciones sexuales, aparece claramente dibujado en diversas muwassahas, como parte del *juego amoroso* del que se vanagloria el hombre y se queja la mujer, ... [The theme of physical aggression towards the woman on the part of the man, within the sexual relationship, seems clearly drawn in a number of *muwassahas*,

as part of the *courtship/foreplay* about which the man boasts and the woman laments, ...] (My emphasis and translation, Moral Molina 724)

In his collection *Poesía femenina hispanoárabe*, María Jesús Rubiera Mata has consolidated a number of such jarchas within a section titled “Canciones de queja” [“Songs of Complaint”]. Otto Zwartjes endeavors to classify jarcha themes in his study *Love Songs from Al-Andalus. History, Structure and Meaning of the Kharja*. In one he says that “The beloved is aggressive and is able to hurt the lover” (213) and in another, “The lover complains about the cruelty of her beloved” (238). While they make obvious the potentially violent subtext present in the jarchas, the section titles do not specifically indicate that these jarchas deal with the theme of sexual violence.

The female poetic voices of the jarchas utilize euphemisms to invoke images of sexual violence. A discussion of sexual violence is never explicit. In fact, the only parts of the female body to which they allude are lips (*labios*), hair (*peinado*) and breast (*pecho*), secondary sexual characteristics whose injury, dishevelment or exposure as a euphemism refer to her having been raped. Because sexual assault may leave no outward signs, the poetic references to her clothes obviates the signs of rape.

THE ISSUES OF RAPE/SEXUAL VIOLENCE

María Rosa Menocal documents the unofficial “convivencia” characteristic of Al-Andalus and the proliferation of interfaith relationships, including marriage, between Muslims, Jews and Christians in the 9th century in her book *The Ornament of the World. How Muslims, Jews, and Christians Created a Culture of Tolerance in Medieval Spain* (29-30, 67). The official political policy later, however, was one of separation. In a study of sex crimes in XIV century Zaragoza titled “Aportación al estudio del delito sexual: El caso de los moros de Zaragoza en el siglo XIV,” María José Roy Marín demonstrates the regulatory lengths to which Christians kings and leaders went to keep Christians, Muslims and Jews separate in all things unrelated to business. They proscribed separate neighborhoods, taverns, and festivals, so as to keep illicit intermingling to a minimum. And to render detection possible in the event that the groups were mixed and thereby diminish the possibility of transgressing the sexual boundaries, they enacted regulations

concerning specific hair styles, clothing, and distinctive colors that must be adopted under pain of fines (Roy Marín 198-199; Nirenberg 133).

Even consensual sexual relations—fornication, adultery, rape—were subject to a policy of separation under both Christian and Muslim (and Jewish) law codes. The situation—the accusation and the subsequent legal resolutions—became even more complicated if the victim and perpetrator pertained to different religious groups. For example, a more serious penalty awaited those guilty of interreligious sexual relations. Men generally fared better within their own religious cultures and legal systems if they had sexual intercourse, consensual or not, with women of other religions (Christians, Muslims, Jews). According to Alfonso X el Sabio’s 13th-century law codes *Las Siete Partidas*, while there were strict prohibitions against sexual relations between Christian women and Muslim and Jewish men³, Christian men did not face the same prohibitions. In fact, the issue was not mentioned at all.

LAW X. What Penalty a Moor and a Christian Woman Deserve Who Have Intercourse with One Another.

If a Moor has sexual intercourse with a Christian virgin, we order that he shall be stoned, and that she, for the first offense, shall lose half of her property, and that

³ Similar prohibitions existed for Jewish men who had sexual intercourse with Christian women. According to “**LAW IX. What Penalty a Jew Deserves Who Has Intercourse with a Christian Woman.** Jews who live with Christian women are guilty of great insolence and boldness, for which reason we decree that all Jews who, hereafter, may be convicted of having done such a thing shall be put to death. For if Christians who commit adultery with married women deserve death on that account, much more do Jews who have sexual intercourse with Christian women, who are spiritually the wives of Our Lord Jesus Christ because of the faith and the baptism which they receive in His name; nor do we consider it proper that a Christian woman who commits an offense of this kind shall escape without punishment. Wherefore we order that, whether she be a virgin, a married woman, a widow, or a common prostitute who gives herself to all men, she shall suffer the same penalty which we mentioned in the last law in the Title concerning the Moors, to which a Christian woman is liable who has carnal intercourse with a Moor (1436).”

her father, mother, or grandfather, shall have it, and if she has no such relatives, that it shall belong to the king. For the second offense, she shall lose all her property, and the heirs aforesaid, if she has any, shall obtain it, and if she has none, the king shall be entitled to it, and she shall be put to death. We decree and order that the same rule shall apply to a widow who commits this crime. If a Moor has sexual intercourse with a Christian married woman, he shall be stoned to death, and she shall be placed in the power of her husband who may burn her to death, or release her, or do what he pleases with her. If a Moor has intercourse with a common woman who abandons herself to everyone, for the first offense, they shall be scourged together through the town, and for the second, they shall be put to death. (1441-1442)

The Christian policy of separation was not always successful, as evidenced by the need for an official legislative solution. Under the law codes operating within Christian territories, a Muslim man who had sexual intercourse with a Christian woman deserved nothing short of death. The Christian woman did not go unpunished. For a first offense, she lost half of her property. For a second offense, she lost the remainder of her property and her life as well. If she was a married woman, her fate rested with her husband who could do with her as he pleased, including burning her to death.

The Bible, the Torah and the Koran also promote policies of religious separation with respect to sexual matters. For example, the Koran entreats followers to resist the temptation to marry outside of their faith.

¡No os caséis con mujeres asociadoras hasta que crean. Una esclava creyente es mejor que una asociadora, aunque ésta os guste más. No os caséis con asociadores hasta que éstos crean. Un esclavo creyente es mejor que un asociador, aunque éste os guste más ...!

[And do not marry the idolatresses until they believe, and certainly a believing maid is better than an idolatress woman, even though she should please you; and do not give (believing women) in marriage to idolaters until they believe, and certainly a believing servant is better than an idolater, even though he should please you;] (Koran II: 221) [Translation found at

<http://etext.virginia.edu/etcbin/toccer-new2?id=HolKora.sgm&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=2&division=div1>

According to the Koran, a Muslim man, however, was permitted to marry a Christian or Jewish woman, providing, of course, that the new spouse converted to Islam (Koran, II: 221) (Ruiz-Almodóvar 70). Naturally, this exception stemmed from the patriarchal belief that women fell under the influence of their husbands in all things, particularly spiritual matters, and from the knowledge that a Muslim woman would be expected to convert to her husband's religious faith.

Punishments for sexual indiscretions were based on who you were—male or female; Christian, Muslim or Jewish—and where you lived—Christian territories or Muslim territories. As John Boswell notes in his exhaustively researched study *The Royal Treasure. Muslim Communities under the Crown of Aragon in the Fourteenth Century*,

The law in Valencia which required that a Christian male and Saracen [Muslim] female caught sleeping together be forced to run naked th[r]ough the streets (*Furs*, IX.2.8-9) was clearly a dead letter by the mid-fourteenth century. This law is particularly illustrative, however, of the varying standards of sexual morality in vogue at the time of its drafting: Christian males sleeping with Jewesses are to be burned with them, as are Jewish or Saracen [Muslim] males found to have lain with a Christian woman. The penalty for Christian males caught with Saracens [Muslims] seems ludicrously mild compared to these. (Boswell 346; Nirenberg 132; Roca Traver 162 and notes 123-125)

Under Christian law codes operating within Christian-controlled territories, a Muslim woman who had sexual relations with a Christian man could have her property confiscated, be executed or more commonly be sold into slavery (Boswell 344, 346). Boswell notes that the fact that "... Muslim women seem to incur a lighter penalty than Christian ones [women] is probably an indication that Christian men did not want to erect barriers to their own recreation" (344). Boswell sums up the situation as a power disequilibrium. "In short, those members of the society with no power, i.e., Muslims and

women, were penalized for unions which were permissible for the members with power, i.e., Christian men” (344).

Now, under Muslim law codes, operating within Muslim-controlled territories, a Muslim woman who had sexual intercourse with a Christian man was liable to be punished with 100 lashes or death by stoning (Boswell 346). As a single woman, she was guilty of fornication; as a married woman, she was guilty of adultery. A Christian man who had sexual intercourse, either consensual or not, with a Muslim woman merited death because he had “... violated the pact under which he was authorized to live in Muslim territorios” [“... la ruptura del pacto bajo el cual el *dhimmí* está autorizado a vivir en territorio musulmán.”] (My translation; Serrano 156).

RAPE

Rape was considered a capital offense, not necessarily against the female rape victim, but against the male or males to whom she pertained and for whom it was a property crime: her husband, father or even brother. In her study *Estudios onomástico-biográficos de Al-Andalus, XI*, Manuela Marín provides convincing historical evidence for the systematic rape of women during military conflicts as a method to further humiliate the enemy: the men to whom a particular woman is legally attached.

La violencia contra las mujeres, tal como se ejerce en estos contextos de desorden social, trasciende su propia individualidad; a través de su ultraje, se inflige a los hombres de su familia—y más cuando ésta es poderosa—la mayor afrenta a que pueden exponerse.

[Violence against women, as it is carried out in these contexts of social disorder, transcends its own individuality; it inflicts upon the men of the family—particularly when the family is powerful—the most grievous affront to which it can expose itself.] (My translation; Marín 684)

Penalties for the male perpetrator convicted of the crime of rape could run the gamut from fines, imprisonment, mutilations, castration, death and even marriage to

one's own rapist. Penalties, too, often depended upon the socio-economic status of both victim and perpetrator. In reality, many penalties related to sexual assault were dealt with through the paying of fines as a way to escape a harsher potentially life-threatening penalty, if a sexual assault were committed within one's own cultural or religious community. In some cases, if an individual were unable to pay a fine to avoid a harsher penalty enacted by Christian law codes, there is historical evidence to suggest that Muslim communities sometimes united to raise the money needed to pay the fine to redeem or commute the sentence of the guilty party, whether male or female (Roy Marín 209-210; Nirenberg 137).

Husbands, fathers and brothers have often resorted to honor killings to save familial honor besmirched by the sexual exploitation and rape of their women: wives, daughters and sisters. Examples also abound of husbands, fathers, brothers who have resorted to *preemptive* honor killings to save women from inevitable sexual assault (Marín 684). Octavio Sapiencia, a Christian slave in 17th-century Turkey for five years, describes a horrific incident he claimed to have witnessed in which a husband chose to stab his own wife to death rather than see her enslaved and raped by the marauding Turkish pirates, so palpable was the threat of sexual violence.

Y va en mi barca un hombre casado, y su mujer honesta en extremo, como en extremo hermosa. El marido reconocido el baxel contrario que era de Turcos, y que la defensa como la huida era imposible: vuelto a su mujer le dijo con suma determinación que pidiese a Dios misericordia de sus pecados, porque tenía por menos terrible quitarle la vida, que verla con manifiesto peligro del honor en poder de bárbaros tan fieros. Inmediatamente le dio una puñalada en el corazón, de que la infeliz hermosa espiró al mismo punto lastimosamente, y al mismo tiempo fue preciso echarla a la mar.
 [And in my boat was a married man with his extremely virtuous and beautiful wife. The husband recognized the approached of the Turkish ship, and since defense and flight were impossible, he turned to his wife and told her to ask God to have mercy on her for her sins because he thought it less terrible to take her life than to see her lose her honor at the hands of such fierce barbarians. Immediately,

he stabbed her in the heart, the unhappy beauty expired at that exact moment, and he threw her body into the sea.] (My translation; I, 1-2)

Delfina Serrano has carried out an exhaustive and invaluable analysis of classic works of Maliki Islamic jurisprudence up until the XV century concerning the issue of rape in her essay “La doctrina legal islámica sobre el delito de violación: escuela Malikí.” For the Muslim woman living under these law codes, as Hispano-arabic women in Al-Andalus would have been, rape allegations were difficult to prove. Rape allegations could only be corroborated by the presence of four male witnesses, the accused’s confession (also witnessed by four people) or pregnancy (Serrano 150). It was also helpful for the rape victim to show some outward sign of her having been raped, such as bleeding, and to make the accusation almost immediately upon the crime’s having taken place. In the event that the rape allegation was proven, the perpetrator could be executed.

A raped woman ran the risk of punishment for having committed two crimes mentioned in the Koran: fornication (if she were single) or adultery (if she were married) and the making of a false accusation of fornication (Marín 693). As Serrano notes,

... Cuando el delito no puede ser demostrado ni con los cuatro testigos requeridos ni con la confesión del acusado, si la demandante no dispone de pruebas circunstanciales, su denuncia puede considerarse como una calumnia de fornicación (*qadf*) contra el acusado, cuyo castigo consiste en ochenta latigazos. Además si se queda embarazada, será castigada a su vez por *zina* ... El delito ... es susceptible de tener consecuencias penales también para la demandante. [... When the crime cannot be proven by the presence of the required four witnesses or by the accused’s confession, if the female accuser does not have sufficient circumstantial evidence, her accusation can be considered an accusation of fornication against the accused, whose penalty consists of eighty lashes. In addition, if she is pregnant, she will be punished for fornication ... The crime ... may have penal consequences for the accuser/the victim as well.] (My translation, Serrano 150-151)

In the event that a rape victim could not prove her allegation of rape, the disposition of the accusation and the guilt or innocence of the parties involved depended in great measure upon a number of factors: the socio-economic, socio-culture status of the parties involved, whether they be Muslim or not, free or slave, adult or child, of good or bad reputation, as well as mental state (Serrano 151).

If there were no witnesses to corroborate a woman's accusation of rape, the reputation of the litigants became important for proving the case (Marín 693). Manuela Marín provides an example to demonstrate the importance of reputation in assigning guilt or innocence:

Una mujer afirmó que un hombre la había engañado y desflorado. Atribuyó esto a un hombre de quien han testificado ante mí [el juez] musulmanes de bien que lo conocen diciendo que es hombre de costumbres puras y excelente conducta y que no saben que se le pueda achacar cosa semejante. Se ha atestiguado ante mí que a esta muchacha se le atribuye mal comportamiento. Escribidme qué decís sobre esto. Respondieron [los jurisperitos consultados]: lo que nosotros opinamos es que si ella ha acusado a un hombre que no parece merecer esta acusación y no corresponde lo que se le atribuye a él con lo que se le atribuye a ella, a ella debe aplicársele la pena de mentira calumniosa (*firyā*) de 80 azotes. Esta fue la opinión de Abu Salih. Dijo Ibn Lubaba: de confirmarse la fornicación, debe aplicársele la pena de 100 azotes, o sea que le corresponden 180 azotes, esto es, si se sentencia en contra de su alegación; si la retira, sólo le corresponde la pena de la calumnia (*qadf*).

[A woman affirmed that a man had deceived and deflowered (raped) her. She blamed a man who has been testified before me [the judge] Muslims of good reputation who know him saying that he is a man of pure habits and excellent conduct and they don't know how he can be accused of such a thing. It has been brought to my attention that this young girl is thought to behave badly. Write to me and tell me what you say about this case. They responded: we believe that if she has accused a man who does not deserve such an accusation and who is innocent of the crime for which he stands accused, given her reputation, she

should be found guilty of lying and be sentenced to 80 lashes. This was the opinion of Abu Salih. Ibn Lubaba said by confirming that she committed fornication, she should be found guilty and be sentenced to 100 lashes, that is to say, a total of 180 lashes, if her accusation of rape is found to be untrue; if she retracts that rape accusation, she should be only found guilty of lying.] (My translation, Marín 693)

An unintended pregnancy further complicated the issue of rape. In her book *Renaissance Feminism*, Constance Jordan reminds us that while the male body reveals outwardly neither chastity nor promiscuity, his private sexual indiscretions remaining in the private sphere, the female body cannot lie because the possibility of pregnancy reveals her past sexual experience, rendering all too public her private sexual indiscretions and bringing into question her virtue (Jordan 40). A pregnancy, even for a raped Muslim woman (whether married or single), proved beyond a doubt that she was guilty of fornication. This crime was punishable by her being whipped 100 times, a penalty that often resulted in death, or by her being stoned to death. An unmarried Muslim woman who became pregnant could only escape punishment by accusing someone of having raped her. A married Muslim woman who became pregnant could, of course, remain silent on the issue in the hopes that her husband would agree to resolve the issue in as private a manner possible as a way to protect his own honor and reputation.

If a woman claimed rape only after discovering that she was pregnant, it was generally believed that an accusation of rape in the event of pregnancy was motivated by fear of an accusation of fornication that could result in death. Naturally, many women even today may understandably prefer some other resolution outside of the court system. According to Manuela Marín, "... En estas circunstancias es muy posible que, de no tratarse de una violación conocida públicamente o con repercusiones evidentes (un embarazo), las mujeres prefiriesen ocultar los hechos (694)."["... Under these circumstances, it is very possible that, unless she were the victim of a public rape or there were evident repercussions (a pregnancy), a woman preferred to hide the facts." (My translation)] As Serrano summarizes Maliki jurisprudence regarding rape,

... el asunto era concebido menos como una denuncia espontánea y más como una alegación para contrarrestar una acusación de *zina* derivada de la aparición de un embarazo en una mujer soltera, repudiada, viuda o cuyo marido llevaba ausente un largo período de tiempo. El peso de la prueba recae sobre la demandante pues la doctrina de Malik establece que si una mujer queda embarazada y no tiene marido y dice que ha sido violada o que está casada, su alegación no será aceptada y será castigada a menos que tenga testigos de la violación o de que está casada. En caso de no tener testigos, para que se acepte su demanda, ella debe disponer de pruebas circunstanciales (*qara'in*) consistentes en aparecer sangrando si es virgen, o haber gritado y pedido socorro a la gente, o algo parecido, de manera que “se haya puesto en evidencia” (*balagat fadihat nafsi-ha*). En caso contrario, debe ser castigada con la sanción coránica por *zina* y que no se le acepte su alegación.

[... the issue of rape was conceived less as a spontaneous denouncement and more like an allegation to counter an accusation of fornication derived from the pregnancy of a woman who was single, repudiated, widowed or whose husband had been absent for a long period of time. The weight of proof falls upon her given that the doctrine of Malik establishes that if a woman is pregnant and she has no husband and she says that she has been raped or that she is married, her allegation/accusation will not be accepted and she will be punished unless she has witnesses to her rape or to the fact that she is married. In the event that she has no witnesses, in order to accept her allegation, she should have circumstantial evidence consistent with appearing to bleed if she is a virgin or with having screamed and asked for help from people, or something of the kind, so that she has made evident her rape. On the contrary, she should be punished with the Koranic sanction for fornication and her allegation should not be accepted.] (My translation, Serrano 151-152)

LAS JARCHAS

The crime of rape and/or sexual assault remains subsumed within the private world expressed in the jarchas. The female poetic voices narrate the initiation, the process

of or the aftermath of a sexual assault in a number of the jarchas. They make no public denunciations. Instead, they confess their situations to the male lover who is abusing them or to their mothers or to what they perceive to be a sympathetic audience.

TO THE VIOLENT BELOVED / RAPIST

In some of the jarchas, the female poetic voice speaks directly to someone, identified as male by the use of the masculine endings on the adjectives and nouns (*quieto, agresivo, amigo, hermoso*), whom she believes intends to harm her. Expressions of explicit violence—*agresivo, hace daño, matar*—are ironically juxtaposed with terms of endearment—*amigo, hermoso*. In the jarchas below, the female poetic voices try to dissuade the male from a potentially dangerous or threatening situations. His aggression is evidenced by his tearing her clothes and breaking her necklace. While it is reasonable to conclude that the female poetic voices are describing their reticence at participating in rough sexual activity, this reader finds it equally plausible that these jarchas present scenes of sexual violence.

No me toques, amigo,
no, no quiero al que hace daño;
el corpiño es frágil. ¡A todo me rehúso! (Rubiera Mata 49)
[Don't touch me, my friend,
no, I don't want the one who hurts me;
my bodice is fragile. I refuse it all! (My translation)]

¡Merced, merced! ¡Oh hermoso, di!
¿Por qué me quieres, por Dios, matar?(Rubiera Mata 50)
[Mercy, mercy, oh sweetheart, say: Why do you want, by God, to kill?
(Translation found in Zwartjes 238)]

The following jarchas or the poems in which they occur are attributable to actual poets.

¡Quietito, quietito, para, no seas agresivo;
me rompes el aderezo y esparces las cuentas del collar! (Rubiera Mata 49)
—by Ibn Gurla

[Stop! Stop! And be quiet, don't be aggressive. You will tear the garments and strip off my necklace." (Translation found in Zwartjes 213)]

¡Merced, merced, oh hermoso! Di: ¿por qué tú me quieres, ay Dios, matar?
—by al-A ‘ma al-Tutili (XII-XIII centuries)(Jarcha #XXIII, Sola-Solé 170; Felkel 38; Rubiera Mata 50; Stern (1948) 26; Heger 26; García Gómez V)
[Mercy, mercy, oh beautiful one! Tell me: why do you want, by God, to kill me?
(My translation)]

No me toques (o: muerdas), oh mi amigo, pues todavía es dañoso. El corpiño (es) frágil. A todo, basta, me rehuso. —by Ibn Baqui and Ibn Ruhaym (XII-XIII centuries) (Jarcha #XXIXab Sola-Solé 207; Felkel 39; Stern (1948) 8a-8b; Heger 8a-8b; García Gómez XXIIa-b)

[Don't touch (or bite) me, oh my friend, as it is still painful. My bodice (is) fragile. I refuse it all. (My translation)]

No me toques, oh amigo mío, pues todavía es dañoso. El corpiño (es) frágil. A todo, basta, me rehuso. —by Yehuda Halevi (XII-XIII centuries) (Jarcha #XIXc, Sola-Solé 207; Felkel 39; Stern (1948) 8c; Heger 8c; García Gómez 8) OR (Moaxaja #22b, García Gómez 253)

[Don't touch (or bite) me, oh my friend, as it is still painful. My bodice (is) fragile. I refuse it all. (My translation)]

In some poems, the poetic voices use bellicose, militaristic images—*lanzas*—to allude to the biting of the female breasts, evocative of either rough, sexual play or sadomasochistic violence.

¡Qué heridas (hay) en (mis) pechos! Me muerdes con mordeduras agudas como lanzas, como punta de diamantes. (Jarcha #LIV, Sola-Solé 314; Felkel 28/40; Stern (1948) 40; Heger 40; García Gómez XXIV)

[Such wounds there are on my breasts! You bite me with bites as sharp diamond-tipped lances. (My translation)]

A una moza, que el pecho mostró cual lanza erecto,
 por mordiscos maltrecho, aludo en estos versos:
 “Me tomas con tetas marcadas con mordiscos
 agudas como lanzas, quemantes de llamas...” (Gómez García, *Las jarchas romances*, 151; Moral Molina “La imagen de la mujer...” 725)
 [A young girl, her bitten breast protruding like an erect lance, to whom I allude in these verses: “You take me with bite-marked teats, sharp as lances, burning in flames ...” (My translation)]

TO THE MOTHER / THE AFTERMATH OF RAPE

The situation for the female poetic voice escalates from a stolen kiss to sexual violence bordering on homicide (femicide?). In numerous jarchas, the female poetic voices narrate the aftermath of the sexual assault to their mothers or to whom they perceive to be a sympathetic audience. Once again subsumed within the private world, the female poetic voices utilize euphemisms to invoke images of sexual violence. That is to say that a discussion of sexual violence is never explicit. In fact, the only parts of her body to which the female poetic voices allude are mouth (*boca*), lips (*labios*), hair (*peinado*) and breasts (*pechos*), secondary sexual characteristics whose injury, dishevelment or exposure function as euphemisms for sexual assault. Because sexual assault may leave no outward signs, the poetic references to clothes and hair render outward, visual the signs of rape.

De improviso, besó mi boca,
 se lo diré a mi madre. (Rubiera Mata 49)
 [Without warning, he kissed my mouth,
 I will tell my mother. (My translation)]

¡Por Dios!, me desahogué gritando,
 me ha roto mi pecho,
 me ha herido mis labios

y me ha deshecho el collar! (Rubiera Mata 49)

[My God!, I cried,

he has wounded my breast,

he has injured my lips

and he has broken my necklace! (My translation)]

¡Cómo, pobre de mí, me ha dejado!

¡Mi vestido dejó alborotado y el peinado! (Rubiera Mata 50)

[Poor me, how he has left me!

He left my dress and my hair a mess! (My translation)]

In other jarchas, the female poetic voice directs itself directly to her mother or to what may be identified as a sympathetic audience.

Mi pena es a causa de un hombre violento: si salgo, con males me veré; no me deja mover o soy recriminada. Madre, dime, qué haré. —by Arfa Ra'suh (XI century)

(Jarcha #III, Sola-Solé 81; Felkel 29; Stern (1948) 45; Heger 45; García Gómez XXXI)

[My suffering is attributed to a violent man: if I leave, I will be in trouble; he doesn't allow me to move or I am blamed. Mother, tell me, what shall I do. (My translation)]

Este desvergonzado, madre mía, este impetuoso me ha empujado a la fuerza a que perezamos, pues es (como) el oleaje.

(Jarcha #XLIX, Sola-Solé 295; Felkel 33/40; Stern (1948) 30; Heger 30; García Gómez X)

[This shameful man, mother of mine, this impetuous beast has pushed me with such force that we perish, he is like the tide. (My translation)]

In a jarcha concluding a moaxaja (#27) by Abu Bakr Yahya ibn Baqi, the female poetic voice speaks to the dangers inherent in amorous entanglements as innocent fun descends into violence.

¡Ay, ay de mí; de lo que me pasa!

Con él jugué: los rizos me arranca,

y la capa

[Woe to me; what has become of me!

I sported with him and he tore my cloak

And my curls!] (Dar at-Tiraz by Ibn Sana' al-Mulk (1155-1211) 77; translation found in Monroe "Studies" 105-106)

In a jarcha concluding another moaxaja (#66) by Al-Kumayt (No. #66 from *Gays at-Tawsih* by Ibn al-Hatib (1313-1374), p. 95), the female poetic voice describes what could be interpreted as the aftermath of rape.

¡Penas me disuelven; lanzo gritos yo!

¡El pecho me estrecha!

¡En mis blandos labios, llaga me dejó!

¡Collar me lo esparce!

[I melt, by God, with sorrow, emitting cries.

He has crushed my breast,

And bruised my lips,

And scattered my necklace.] (Ibn al-Hatib 95; translation found in Monroe "Studies" 118)

In a fascinating case of "he said, she said," Emilio García Gómez identifies several jarchas in which the male poetic voices explain sexual encounters from decidedly androcentric points of view. The male poetic voices mediate the female utterances—the jarchas—in quotation marks, at least in the Spanish translation. In an anonymous moaxaja (#10) the male poetic voice tries to exonerate his behavior by implying that her clothing became torn due to his exuberance at the prospect of being alone with her and kissing her. The intermediary step between his kissing her, irresistibly attracted as he was by the honey-taste of her mouth, and his tearing her clothes is left to the imagination of the reader. Instead of demonstrating to what extent she, too, is complicit in this encounter, he does not allow her to participate until the moment during which she confesses the incident to her mother. The female poetic voice's words in the form of a

jarcha close the poem, leaving an indelible memory in the mind of the reader. She recounts the sexual encounter to her mother, suggesting that he may have actually raped her. She is conscious of the situation facing the raped woman in Al-Andalus and the future that awaits her under Muslim law.

Una vez que verla pude a solas,
 tras besar las mieles de su boca,
 le hice desgarrones en la ropa,
 y a su madre dijo como loca:
 “Este desvergonzado, madre, este alborotado,
 me toma [o me ataca] por fuerza,
 y no veo yo el porvenir.”

(Moaxaja #10, García Gómez *Las jarchas romances* 151)

[When I finally got her alone,
 as I kissed her honeyed mouth,
 I accidentally tore her clothes,
 and, crazed, she told her mother:
 “This shameful man, mother, this crazed man,
 he takes me [or he attacks me] by force,
 and I don’t see the future in it.” (My translation)]

In another moaxaja (#22) by Abu Bakr Yahya ibn Baqi, the identifiably male poetic voice interprets the female reaction as a mixture of pleasure (*gozosa*) and reticence (*asustada*), stereotypical female reactions. The male poetic voice implies that she routinely plays at not wanting to participate sexually (“... y ella decir me suele entonces, ...”). By appearing *gozosa*, she appears to acquiesce, but by appearing *asustada*, she appears to resist. Her contradictory signals are ignored by the male poetic voice but not necessarily by the reader as her words seem to indicate that she wishes to curtail and reprimand his actions, what he perceives to be his enthusiasm. His explanation functions similarly as a means by which to justify his treatment of her.

Al retozar con ella, entre
 cortinas y almohadas,

desnudo el cuerpo—que hasta hieren,
 con verlo, las miradas—
 la luna abrazo, entre su pelo
 que es cual noche cerrada,
 y ella decir me suele entonces,
 gozosa y asustada:
 “No me destroces ni maltrates,
 me es enojoso tu riguroso trato.
 ¿Qué provecho trae dañar mis vestiduras?
 Dexa estar mis ropas en su lugar.”⁴ (García Gómez, *Las jarchas romances* 243)
 [Wrestling with her, among
 curtains and bedsheets,
 the body nude—seeing it injures
 the glances—
 I embrace the moon, within her hair
 which is deepest night,
 and she usually tells me
 excited and frightened,
 “Don’t destroy me or mistreat me,
 I do not like the way you treat me.
 What good is it to tear my clothes?
 Leave my clothes in their place. (My translation)]

⁴ García Gómez notes the correlations between this jarcha and *La Celestina*, Act XIX, as Melibea says to Calisto:

“Cata, ángel mío, que así como me es agradable tu vista sosegada, *me es enojoso tu riguroso trato*; tus honestas burlas me dan plazer, tus deshonestas manos me fatigan cuando pasan de la razón. *Deja estar mis ropas en su lugar* y, si quieres ver si es el hábito de encima de seda o de paño, ¿para qué me tocas en la camisa? Pues cierto es de lienzo. Holguemos e burlemos de otros mill modos que yo te mostraré; *no me destroces ni maltrates como sueles. ¿Qué provecho te trae dañar mis vestiduras?*” (My emphasis, Act XIX, 245-246; García Gómez, *Las jarchas romances* 245)

In another moaxaja (#22b) by Abu Bakr Muhammad ibn Ahmad ibn Ruhaim, the male poetic voice recognizes her contradictory signals but also seems to acknowledge female displeasure—she is *quejosa*—at his attempts at seduction.

Serme muy fiel con juramentos
 me tiene prometido,
 y a veces hasta me visita
 de noche y de improviso.
 Tras besarla, con mis manos
 a sus pechos derivo:
 pero quejosa dice entonces:
 “Si me tienes cariño:
 Non me toques, oh habibi,
 no quiero al que hace daño.
 El corpiño es frágil, ¡Basta!
 a todo me niego.”

(Gómez García *Las jarchas romances* 253; Moral Molina “La imagen de la mujer...” 724)

[To be faithful to me
 she has promised,
 at times she even visits me
 at night and without warning.
 As I kiss her, with my hands
 I seek her breasts:
 but she complains, saying:
 “If you care for me:
 Do not touch me, my beloved,
 I do not want him who injures me.
 My bodice is fragile, Enough!
 I refuse everything.” (My translation)]

In both of these poems, the female poetic voices' words, closing the poem, leave an indelible impression in the mind of the reader. Her mistreatment, including the destroying of her clothes, renders visible the attack.

THE QUESTION OF FEMALE AUTHORSHIP

An amazing fifty-four of the total sixty-one discovered jarchas utilize female poetic voices (Earnshaw 5). While these jarchas contain identifiably female poetic voices, most jarcha scholars concur that they were most likely written or at least transcribed by male poets. Doris Earnshaw provides a brief overview of the opposing points of views regarding the authorship of the jarchas (1-2)⁵. The fact that the same jarcha might conclude a number of poems / moaxajas could indicate that they originated from popular songs, possibly even songs created or transmitted by women. Emilio García Gómez speaks of what he terms a "lirica femenina" but does not automatically attribute this quality to female authorship. As he notes,

En la literatura árabe hay, naturalmente, poetisas, que hablan en ocasiones, no siempre, como mujeres, pero ésta es otra cuestión que nos llevaría muy lejos. Baste decir que el espíritu de la "lirica femenina" de que aquí hablamos nada tiene que ver con las poetisas árabes de cualquier época que conocemos

[In Arabic literature there are, naturally, women poets who speak on occasion but not always as women, but this is another question that would take us very far away from the topic at hand. Suffice it to say that the spirit of a "feminine/female lyric" of which we speak here has nothing to do with the Arabic women poets from any known epoch.] (My translation; "Veinticuatro Jaryas [Jarchas] Romances" 65 [9])

... no hay obstáculo en suponer que una canción femenina sea arrancada de los labios de la mujer para ponerla en otros.

⁵For a detailed explanation of the complex structures of double-voiced (male and female) lyric poems, see Chapter #2 (33-73) of Doris Earnshaw's *The Female Voice in Medieval Romance Lyric* (New York: Peter Lang Publishing, Inc., 1988), especially pages 33-37.

[... there is no problem in supposing that a feminine/female song may be ripped from the lips of a woman and appropriated by others.] (My translation; 66 [10])

... Naturalmente, no hay por qué creer que son una ‘poesía femenina’ en el sentido de que estén compuestas por las mismas mujeres en cuya boca se ponen. No: se trata seguramente de una convención.

[... Naturally, there is no reason to believe that jarchas represent a “feminine poetry” in the sense that they are composed by the same women who sing them. No: it is likely just a poetic convention.] (My translation; *Las jarchas romances* 67)

In a provocative attempt to give voice to the voiceless and to empower women, Ria Lemaire, takes issue with the efforts on the part of Humanities scholars to “explain away the female subject.” As she notes,

... the active subject-position of women in medieval women’s love-songs has been explained away to make it fit the well-known ideologeme of modern society, which relates the opposition active-passive to the opposition between the sexes. (Lemaire 729)

While Lemaire focuses her analysis on a number of Portuguese love songs, her comments and overriding theory pertain as well to the jarchas. According to Lemaire, Humanities scholars are guilty of attributing women’s production to men. In addition, men are guilty of imitating the form of the women’s love songs and of appropriating some women-authored works as their own. As a result, Lemaire traces the transition of women poetic subjects as they move from active, desiring subjects to passive objects of male desire. In addition, there are discounted as authors as it is commonly believed that these texts are actually authored by men.

While I would contend that the authorship of the jarchas is impossible to determine, what is relevant for this study is the fact that the poetic voices are identifiably female. In addition, they do detail one of the most traumatic experiences particular to an individual’s identity as a female: the crime of rape and its aftermath. The fact that the

confessions remain subsumed within the private, intimate environment expressed in the jarchas, while at the same time being expressed within the public realm of oral poetry, gives voice to those Muslim women unable to demand vindication for the crimes committed against them. In the real, extratextual world, confession often meets with additional victimization. Lest we believe that those Muslim women alleging rape risked punishment only during the Middle Ages, a recent newspaper notice from the *Minneapolis Star Tribune* reminds us that even contemporary women are not immune from such victimization.

A 13-year-old girl who said she had been raped was stoned to death after being accused of adultery by Islamic extremists, Amnesty International said. Dozens of men stoned Aisha Ibrahim Duhulow to death Oct. 27 [2008] in a stadium packed with 1,000 spectators, Amnesty and Somalia media reported. (“Nation + World: Somalia: Rape victim, 13, stoned to death.” *Minneapolis Star Tribune*, Sunday, November 2, 2008, A15.)

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