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Religiously mixed families in the Mediterranean society of the Cairo Geniza

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Documents of various genres from the Cairo Geniza from the eleventh to thirteenth centuries, as well as contemporary legal queries to rabbinic figures, attest to the phenomenon of mixed-faith families among the Jewish communities of the Islamic Mediterranean. In most of these cases known to us, the husbands were Jewish apostates, probably converts to Islam, while their wives remained loyal to Judaism. This social reality was enabled by the legal feasibility of such marriages in both Jewish and Islamic law, as well as the general tendency in the Jewish communities under Islam to maintain social, professional, and familial contacts with apostates from Judaism. This laxity eased the social effects of conversion, and even left the door open for a possible later return of the apostate into the Jewish fold. The existence of religiously mixed families also meant that children of such families found themselves in a unique liminal position, torn between two religions. These children were encouraged by family and community members to embrace Jewish identity despite the conversion of one of their parents; the same was true even of children of couples who had both converted.

Keywords: Jewish history; conversion; Geniza; Egypt; family; migration; relapse

Sometime in the late 1040s, Tuvia ben Moshe, a prolific Jewish Karaite scholar, originally from Byzantium, wrote a letter from his home in Jerusalem to his daughter in Egypt.¹ Written in Judeo-Arabic and located in the Cairo Geniza, in this letter he stressed his secure financial footing and regretted the straitened circumstances of his daughter, which – according to Tuvia – were “your mother’s doing, and I pray to God that He will not forget her sin”.² Towards the end of his brief letter, Tuvia presented his daughter with a difficult decision, and his phrasing reveals the reason for the animosity with his estranged wife, and the dire conditions in which their daughter consequently found herself. Tuvia wrote:

I succeeded and your mother failed, praised be God. And now, my daughter, I do not know on which side you are: are you with the Jews, your father’s people, or with your mother and the gentiles? And I will tell you this, my daughter: were they willing to sell you, I would have³ bought you, my daughter, and rescue you from their hands! ... I intend to leave after the holiday to Byzantium, to my homeland and my family, so let me know in advance what is on your mind, and I shall figure what to do in your matter.⁴

Tuvia associates his rebellious wife with gentiles, the *gōyim*, which in the Judeo-Arabic of classical Geniza letters signifies Muslims.⁵ It would seem therefore that Tuvia’s wife converted to Islam, though this is not mentioned explicitly in the text. The fact that the

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letter was written in Judeo-Arabic and was folded over and over, eventually finding its way to the Geniza in the old synagogue in Fustāt (old Cairo), suggests the following reconstruction: either Tuvia's wife converted to Islam and migrated to Egypt, or that she remained in Egypt while Tuvia moved to Jerusalem.⁶ The evidence points to the likelihood that Tuvia's wife took their daughter to live with her among an Arabic-speaking community in Egypt, probably a Muslim community.

Tuvia's letter, and the fascinating human situation it reveals, introduces us to the wider social phenomenon of religious conversion within the basic family unit in the "Geniza society" of the Islamic Mediterranean of the eleventh through thirteenth centuries. It touches upon crucial issues such as on-going ties between converts and their former co-religionists, relations between conversion and migration, and the possibility of a return to Judaism and the Jewish community. The story of Tuvia's family features the two main social situations which will be discussed in this article: the effects of conversion of one spouse on the marital bond, and the long-term effects of such conversion on the offspring of these mixed couples. We will revisit this family in the second section of this paper.

In the first section, examples will be presented for the phenomenon of marital bonds between Jewish women and Jewish male apostates. In the second section, the discussion will move forward from the marital bond to the second generation, the children of apostates – children of "mixed families" and also offspring of other apostates. The third and last section will integrate the conclusions from the cases presented, and will reflect more broadly on the implications of these findings on our understanding of wider issues such as religious identity, communal boundaries, and inter-confessional interactions in Mediterranean medieval history as a field of study.

Conversion and the marital bond

While statistical estimations are impossible to provide, the phenomenon of apostasy, the conversion of Jews to other religions in the medieval Islamic Mediterranean, is attested by various medieval Jewish sources. Among them there are legal queries to jurisconsults, theoretical discussions in books of Jewish law, and documentary sources from the Cairo Geniza such as private letters, appeals, charity lists, and so forth.⁷ More often than not, these sources assume, or mention explicitly, that the union between the apostate and his or her spouse was for all practical purposes dissolved, and the deliberations are centred on arranging for the actual deed of divorce or property allocation.⁸ In several cases, however, the marital bond was not officially dissolved even though the couple no longer lived together, and the fact that the couple was still legally married caused problems for the apostate's spouse or blood relatives. Yet dissolution of the family unit was not always the inevitable outcome of apostasy, as some of the examples provided below make clear.⁹

The existence of religiously mixed couples in Jewish communal life surfaces in the form of a legal query to Rav Hayya Gaon, the head of the Babylonian academy (*yeshiva*), active in Iraq in the early eleventh century. In a series of queries found on a scrap of paper in the Geniza, the Gaon was asked about various cases of liminal figures or liminal behaviours, such as a cantor who had eaten non-kosher food at an earlier period in his life, or a proselyte of suspicious origins. The cases presented include the following:

An Israelite man who apostatized and left for the religion of the gentiles¹⁰, and his wife was married to him when he was still observing the religion of Israel, and she did not apostatize, and did not transgress the religion of the Torah: is he allowed to continue living with her, or

not? And if an Israelite man apostatized, and he wishes to marry one of the daughters of Israel who are observing the religion of the Torah: is he allowed to do so or not? And if not, what should be done with the one who writes their wedding bill?¹¹

Since the paper is torn just before the response, Rav Hayya's answer remains a matter of speculation. The question itself is telling, however: that a Jewish apostate would be keen to remain married to his Jewish wife, or to marry a Jewish woman, was evidently feasible, though we cannot exclude the possibility – ever-present with regard to legal queries lacking the specifics – that this is merely a hypothetical question phrased in casuistic legal language. Although the author of the query is unsympathetic towards the situation described, the query itself is evidence that religiously mixed couples and households were nevertheless an option, either as the result of the apostasy of one spouse, or as a new marriage contracted between a Jewish apostate man and an observant Jewish wife.

A marital bond between a Jewish apostate husband and an observant Jewish wife was legally possible according to both Jewish and Islamic law. According to Islamic law, a Muslim man could marry non-Muslim women from the “people of the book” (*‘ahl al-kitāb*), that is Christian or Jewish. A new convert to Islam did not even have to remarry his non-Muslim wife, and their marital life could continue uninterrupted, this time according to his new religion. Needless to say, this permission was only applicable for male converts to Islam. When a married woman converted to Islam, the marital bond was considered void if her non-Muslim husband did not choose to join her in her new religion within a short period of time.¹² The reasoning behind this was that Islam was considered dominant over the religions of the “protected people”, as a man is considered dominant over his wife; a non-Muslim man, then, cannot control and dominate a Muslim woman.

Jewish law, by contrast, offered no possibility for interfaith marriage between a Jew and non-Jew, regardless of gender. Yet it was almost unanimously accepted in the medieval Jewish world that for all matters pertaining to personal status, such as marriage, divorce, lineage, and so forth, a person who was born Jewish was still considered Jewish even if he apostatized.¹³ Marital bonds of apostates were considered valid unless they chose to dissolve them. Thus, the apostasy of a Jewish person, whether male or female, to any other religion did not abrogate the marital bond with his or her spouse, nor did it impede the convert's ability to marry a Jewish person even after conversion took place. This “loophole” created what we might call de-facto inter-religious marriages: since in the eyes of the Jewish rabbis and juriconsults, the apostate was still a Jew, they could not prohibit such marriages.¹⁴

Of course, the fact that such marriages were legally possible does not necessarily reflect the way they were perceived in society. A close examination of contacts between Jewish apostates and their former co-religionists in Geniza society reveals that, while apostasy was perceived negatively by Jewish community members, there are no signs of the excommunication of apostates, harassment of their families, considering the apostate as dead, or other social phenomena known from other periods and places in Jewish history.¹⁵ Daily contacts with apostates were kept in various settings, such as business ventures, gatherings, exchanging of information, and even testimonies at court.¹⁶ Furthermore, the sources do not mention any obstacles placed in the way of apostates who wished to return to the Jewish fold.

The relatively lenient attitude of Jewish communities in the medieval Islamic Mediterranean towards apostates can be juxtaposed to the ever-stricter attitude towards apostates among the Jewish communities of medieval northern Europe.¹⁷ The evidence

for the existence of religiously mixed couples and families in Geniza society should be seen in the context of this larger laxity towards apostates in matters of daily conduct. This attitude is demonstrated even in the abovementioned collection of queries to Rav Hayya Gaon. As noted, one of the queries concerned the possibility that one who committed sins “while in his youth” could serve as a cantor later in his life. Rav Hayya’s answer was decidedly positive, and in order to stress the point he discussed not only a sinner, but also an outright apostate:

A person who apostatized (lit. “left the religion”) while a mature adult, and later repented honestly, publicly and not secretly, is as legitimate as all others ... and he can pray as a cantor ... and no one is allowed to withhold it [the position] from him.¹⁸

This seemingly lenient position, to which I will return later in this article, was motivated by pragmatic interests, namely the desire to bring the apostates, or at least their offspring, back to the Jewish community. It should be stressed that what I called here a lenient attitude was towards the apostates themselves, as individuals who could still be redeemed, and not towards the act of apostasy itself, which was viewed very negatively.

The previous query to Rav Hayya Gaon indicates that the possibility of religiously mixed couples was on the minds of Jews in the discussed period, yet it does not necessarily mean that this specific query deals with such an actual case. Below, I will offer two other examples from Geniza documents which answer the need for such specific cases. Taken together with the query given earlier and with the cases which will be detailed in the second section of this paper, these documents supply ample evidence that religiously mixed families were a known reality in the Jewish communities of the medieval Islamic Mediterranean, legally possible and socially viable.

We find an excellent example of the continuation of marital unions between Jewish male apostates and their still-Jewish wives in a query written on behalf of the Jewish wife of a convert to Islam. The query, written in Arabic characters, was probably addressed to a Muslim jurisconsult. It reads:

Concerning a Jewish [man] who converted to Islam (*aslama*) and was attached to a Jewish woman, after he had converted, for a year. Then he wished to travel, and the aforementioned wife said to him “you will not leave without giving me my bill of divorce,” to which he replied: “I won’t be gone but for a little while.” And he left and is now missing for ten years. And she requests to (re)marry, seeing her dire economic condition, for she lacks support due to the hardships of the hour and the difficulties of the time. Is it possible that she will marry after all this time, and no news was heard of him, since he is in India?¹⁹

Though the query contains no identifying details of the discussed events, it seems almost certain that this query is not a theoretical discussion but rather an actual case. The Jewish man who converted was “attached” to a Jewish woman, and the phrasing of the question leaves it unclear whether they were already married before he apostatized, or if he married her while he was an apostate, that is, a Muslim. Either way, the two definitely lived as a married couple for a year before the husband left for a business venture from which he did not return. It was only an impending long and risky voyage, and not his apostasy, which led his wife to demand a bill of divorce and her expected dower.

The assumption that this query was sent to a Muslim jurisconsult rather than to a Jewish one is based not only on the Arabic script of the letter, but also on the implied legal reasoning. In some schools of Islamic law, the court can divorce a wife whose husband has been gone for a certain period of time without any news coming from him.²⁰

Jewish law, however, provides no such option, and such a woman is considered “chained” (Heb. *‘agūnah*, lit. “anchored”) or “widow of the living” until someone can confirm that her husband is dead.²¹ Since apostasy could not change a person’s status, as discussed earlier, from the point of view of Jewish law, the fact that the man apostatized is irrelevant to the woman’s predicament.

Our second example of religiously mixed marriages in Geniza society is found in a letter concerning a heated and prolonged conflict over the leadership of the Palestinian Jewish community of Fustāt. In the mid-1050s the senior community leader passed away, and a power struggle ensued between the dominant forces in the city. Both leading candidates were prominent figures in the community; one of them, Judah b. Joseph, known as “the Rav”, was a prolific biblical and legal exegete.²² This did not deter his opponents from charging him with apostasy. We know this from a letter written by one of his supporters. In the letter, the anonymous writer informs his addressee that accusations were made that “the Rav apostatized in al-Shām (i.e. greater Syria) and later came to Egypt to Convert to Judaism (*yatahawwadu*).”²³ The writer of this letter does not refute the harsh accusation directly, but rather disqualifies the witnesses – apparently there were 50 of them – as coming from the low ranks of Jewish society. Another letter, by a different supporter of the Rav, also mentions serious allegations which were made against the man. This time, the letter-writer charges a specific opponent of the Rav with spreading these rumours – Surūr ibn Sabra, a member of a distinguished Jewish family in Egypt, a prominent merchant and public figure in the Jewish community.²⁴ Yet the writer of the letter blames Surūr with the following:

He, Surūr ibn Sabra, this accursed one, had apostatized in the Maghrib, and remained an apostate for several years. And his wife, Ibn Muhayyar (should be: ‘ukht Muhayyar, i.e. “the sister of Muhayyar”, see further:) ... was from the most despicable people. And when Ibn Sabra came nobody wanted him except ‘ukht Muhayyar, for the people considered him an apostate (*fāshī*^{25, 26}).

The fascinating phenomenon of accusations and counter-accusations of apostasy, and the limited ability to confirm or refute them, qualifies for a separate discussion. For the purposes of the present study, we will focus on the circumstances of the alleged apostasy “in the West”. According to the writer’s claim, Surūr apostatized while in the Maghrib, and remained there as an apostate for several years. However, during this period he was looking for a Jewish bride, and although respectable women and families were not interested in him since they “considered him an apostate”, he *did* manage to find a Jewish bride for himself, albeit from the lower classes, as the writer claims. Since these accusations were levelled in the context of a power struggle, we should not rule out the possibility that the alleged apostasy, or apostasies, never took place, but were mere slander during a political campaign. Yet, for a slander to be effective, it has to be well placed in the social reality and credible in the eyes of the target audience.

The accusations pitched against Surūr, regardless of their veracity, are yet another proof of the acquaintance of Geniza society with the possibility of on-going and even newly established marital relations between Jewish apostates and Jewish wives. Taken together with the variety of the examples provided, from different genres and viewpoints, they attest to the familiarity of Jewish communities with the situation of such mixed couples. Below we shall focus on the children of such couples.

Children of religiously mixed couples

Naturally, the apostasy of one spouse had both short-term and long-term effects on the children born into such a family, whether the couple separated upon conversion, remained married, or if the marriage were contracted only after a person converted.

The case with which we opened, that of Tuvia ben Moshe, his apostate wife, and their daughter, exemplifies some long-term effects of apostasy on the second generation of converts, even if the marital bond was long dissolved, practically if not legally. We do not know whether or not Tuvia divorced his wife legally. On the face of it, she had no reason to wait and receive an official bill of divorce from her Jewish husband, since according to her new religion – probably Islam – the marital bond with her Jewish husband was annulled in any case. In one of his letters to an Egyptian notable, Tuvia calls his wife “the adulterer”, perhaps implying that she was already attached to another man, though according to Jewish law she was still officially married to him.²⁷

Be that as it may, it seems that the apostasy of Tuvia’s wife, their actual – if not formal – separation, and even their living in two distinct geographical units, Egypt and Palestine, did not and could not totally obliterate their relationship, especially since there was a child involved. The rupture in the family’s life is manifest not only in Tuvia’s harsh words but also in his address to his daughter. Although he is perfectly aware of her dire economic conditions, he will not assist her before she commits herself to him and to the Jewish fold: “Know, my daughter, that I have taken an oath not to send you anything.”²⁸ He also limits the time available for her to respond. In an additional letter, which Tuvia wrote to an associate in Egypt, he uses even stronger words, and exclaims: “The pain over the only daughter! She is always in my heart [...] night and day. I wish she were dead rather than with her adulterous mother!”²⁹

The precise religious identity of Tuvia’s wife has been a source of some confusion to scholars, most of whom assumed that she was originally a Christian from Byzantium, perhaps because Tuvia himself was from Byzantium. In fact, Tuvia asks his daughter to choose between the Jews, his people, and his wife’s people, the *gōyīm*, which in Geniza parlance denotes Muslims, as Goitein pointed out.³⁰ Most scholars ignored this fact in the case of Tuvia’s wife.³¹ Once previous assumptions are ruled out, the most likely case is that Tuvia’s wife was originally Jewish, converted to Islam, and then went to live in Egypt with her daughter. Her family members, including her sister and brother-in-law, are mentioned by Tuvia as persons who have met him and can confirm his robust solvency.

Regardless of the exact origins and tribulations of Tuvia’s wife, it is clear from the letter that her daughter, whom she took and presumably brought up as non-Jew in a non-Jewish community in Egypt, could contact her maternal aunt and other relatives and family friends in Jerusalem, since Tuvia writes to her that these family members can verify his financial stability.³² Moreover, the letter itself shows that Tuvia was able to establish contact with his estranged daughter, albeit via intermediaries, who knew where to find the girl and could read the letter to her. Most interesting is the apparent liminal identity of the man’s daughter, as it is described in Tuvia’s letter. He does not insist that the girl is still Jewish and should therefore join him, and similarly he does not assert that she is not Jewish at all. Rather, he exclaims: “I do not know on which side you are.” Tuvia’s language implies that his daughter, torn between her parents, lies in a religious no-man’s land, neither here nor there, or better still – both here and there.³³ From this particular position, she can choose whatever religion she would like. Of course, Tuvia is interested in his daughter choosing Judaism, and he urges her to do so, in part by using

her economic stress and conditioning his financial support. His desire to win over his daughter is clearly a part of his bitter struggle with his wife. Yet even within his marital strife, Tuvia does not unconditionally embrace his daughter. He first introduces her with a test, a choice: are you with the Jews or with the *gōyīm*.

From other medieval Mediterranean sources of various religious backgrounds we know of the phenomenon of children of religiously mixed families who faced the opportunity, or better yet the pressure, to choose their religious affiliation.³⁴ An example from Jewish sources can be seen in a legal query sent to Rav Sherira Gaon, the head of the Babylonian academy in late tenth-century Iraq and the father of Rav Hayya Gaon. The query discusses the permissibility of performing circumcision during the Sabbath on the child of “an Israelite who apostatized, and he is married to an Israelite woman”.³⁵ According to Jewish law, the circumcision of a Jewish male newborn should be performed on the eighth day after birth. A boy who was born during the Sabbath will be thus circumcised on the next Sabbath, even though the circumcision procedure mandates a certain desecration of the Sabbath. The question at the heart of the query to Rav Sherira, then, is whether a boy born to a religiously mixed family is “Jewish enough” to be circumcised on the holy day, or if the circumcision should be postponed.

Before we move to the fascinating answer, it is useful to notice the assumptions implicit in the question. The question takes for granted a situation in which a Jewish male apostatizes while remaining married to his Jewish wife and even having children with her. The question further implies that the parents, or others around them, would like the boy to be circumcised by Jews, and on the eighth day as mandated by Jewish religion. The religion the Jewish husband converted to is not hinted at, as is typical in contemporary sources. But we can assume that he converted to Islam, which by the tenth century already came to see circumcision as a marker of Islamic identity.³⁶ The possible identity of the father as a Muslim might explain the desire for a circumcision, but it still would not mandate a circumcision on the eighth day specifically, or by Jews. In fact, various Islamic traditions prefer *not* to circumcise boys on the eighth day, or by Jewish circumcisers, in order to better distinguish Islamic circumcision from the Jewish one.³⁷ The question also assumes that such a couple will have immediate access to Jewish circumcisers who would be willing to perform the circumcision during the Sabbath.

Rav Sherira’s answer is that the newborn should be circumcised on the Sabbath, despite the fact that his father is an apostate. One might assume that the reasoning behind such an answer would be the long-standing rabbinic concept of matrilineal descent, meaning that the Jewish identity of the newborn is determined exclusively by the religious identity of his mother.³⁸ Surprisingly enough, this line of argument is not even hinted at by Rav Sherira, and clearly it was not sufficient for the person who posed the question in the first place. Instead, Rav Sherira goes out of his way to highlight the fact that it is only the father who apostatized, the apostasy is rather new and the apostate is not yet well entrenched in his new religion: “It is not a case of old generations of apostates, only one had apostatized, and it is possible that he will leave his son in the Jewish religion.” Rav Sherira also points to the fact that the born child is “of the seed of Abraham”, and then proceeds to what appears to be the crux of his answer:

And more, his mother is an Israelite, and he might follow her, and we cannot know if he will apostatize,³⁹ so we cannot forbid his circumcision during the Sabbath, and we cannot change his status.

Rav Sherira seems to be portraying a newborn of a religiously mixed family as one without a definite religious identity. True, the reasoning went, he might follow his apostate father, but likewise he might follow his Israelite mother. In addition, even his apostate father himself, a novice in his new religion, might “wander” and “leave his son in the Jewish faith”. The prospect of children of religiously mixed families choosing their own religious affiliation is, therefore, a possible outcome not only in the case of marital dispute in a broken family, as is the case with Tuvia and his daughter, but also in the situation of dual religious adherence in the same household. Rav Sherira’s decision is not neutral, of course. He does not limit himself to enabling the newborn to make up his mind in the distant future. By allowing – in fact mandating – the boy’s circumcision according to the Jewish custom, Rav Sherira is fixing Jewish identity as the default for the young child and for his parents; he is strengthening the ties of this mixed family to the Jewish community. In his ruling, he might have hoped to increase the likelihood that the apostate father would return to the Jewish fold himself.

We can detect the notion of liminal religious identity for apostates’ children in additional sources as well. One of them is a query sent to Abraham Maimonides, Moses Maimonides’ son and the leader of Egyptian Jewry in the early thirteenth century (active 1204–1237). The query concerns “an apostate in every regard who married an apostate woman in a Muslim court”.⁴⁰ The couple here, then, is not religiously mixed, but rather both spouses are apostates. The writer of the query wonders if these two are considered as married according to Jewish law. He therefore also asks: “And if someone has intercourse with her – is he punishable by death from heaven [since he had intercourse with a married woman]?” Since the writer of the query poses several different situations and legal possibilities, it is quite clear that it is theoretical, although it is still interesting that the writer wonders about the possibility of a Jewish man having sexual intercourse with an apostate Jewish woman. The writer of the query pushes his theoretical case even further and asks: “And as for the children born to these two, are they ‘kosher’ or not?” We do not know what is meant by “these two”: is the writer referring here to the two apostates who were married in a Muslim court, or does he mean the apostate woman and her hypothetical Jewish lover?

Be that as it may, it is Abraham Maimonides’ answer about the identity of these hypothetical children which interests us here:

As for the children born to her – they are kosher as far as their lineage (*nasab*) is concerned.⁴¹ But regarding religion (*dīn*), this (will be defined) according to their observance of it, or their abandonment of it.

Exactly as Rav Sherira ruled more than 200 years before him, Abraham Maimonides lets the children of Jewish apostates decide their identity for themselves. He does not rule that they are no longer Jews, nor does he state that they are Jewish. As in the query to Rav Sherira, Abraham Maimonides could easily have designated the children as Jewish since their mother, though she apostatized, is still considered Jewish according to Jewish law. But he refrains from doing so; instead, his answer shows that in his mind, like in Rav Sherira’s view, children of apostates were in a liminal position in which they could actively choose their way of life and religious identity.⁴²

The three cases presented seem to imply that apostates, or at least the children of apostates, could return to their Jewish faith without encountering serious structural obstacles from the Jewish community. A claim of possible and easy return or relapse to Judaism might be part of a rhetorical effort to claim that the child has an actual choice when in fact

he does not. One should remember that Muslim jurists saw relapse from Islam as apostasy, punishable by death. However, additional information about the possibility of return to Judaism after apostasy in the medieval Islamic Mediterranean reveals that it is quite possible that return from apostasy was indeed a viable option, as long as one stayed under the radar of the Muslim authorities, which did not have real capabilities of tracking down relapsed converts throughout the different realms of the Mediterranean.⁴³

The possibility of return for the children of apostates is also implied in the last example given here. Both parents in this family were Jewish apostates, probably to Islam, but it merits our attention since its details help to illustrate the on-going ties between the Jewish community and Jewish apostates, including the possible return of their children. The case is succinctly described on the margin of a leaf from the court notebook of Fustāt, found in the Geniza.⁴⁴ In the margin, a short sentence was written:

A daughter was born to the “son of the known one” (*Ibn ya ‘almū*) from Bint Tuwayr al-‘Ashā, and she is a “bastard”⁴⁵ (*mamzeret*). In the year 1432 (Seleucid era, corresponding to 1220–1221CE/616–617AH).

This brief note probably necessitated some explanation, since two additional lines were added sideways:

Since her mother apostatized while she was married to Ephraim al-Damīrī, and he did not write to her a bill of divorce. And she married Bū ‘Ali “son of the known one” (*ben ya ‘almū*) in a Muslim (*gōyīm*) court.

In Jewish law, a child can be a *mamzer* only if his biological father is Jewish.⁴⁶ Thus, we can conclude that the said “Bū ‘Ali b. ya ‘almū” was originally Jewish, probably also an apostate like his new wife, Bint Tuwayr al-‘Ashā. But if the wife abandoned her Jewish husband, apostatized, and married another apostate in Muslim court, why was the Jewish court interested in the birth of their child, to the point that the court bothered to register and document the exact circumstances of the birth, and the parents’ marital and legal status? The only reasonable answer is that the Jewish court considered that there was a chance that the daughter, with or without her parents, might return to the Jewish fold in the future. In such a case, her legal status as a *mamzeret* should be known to the court and to potential husbands, since a *mamzer* cannot marry other Jews, and if he or she has children, they will be considered *mamzers* as well.

This marginal note in a court register provides us with yet another example of contacts with apostates, for without such contacts the court would not have known about the marriage and birth in the first place. This document also points at the effects of apostasy on marital ties and marital relations – the first marriage of Bint Tuwayr al-‘Ashā to Ephraim al-Damīrī – and the possibility of return for the second generation. All in all, as the examples surveyed here show, religiously mixed families had enduring ties to the Jewish community. Given the long-term effects of this situation on the offspring of such unions, it is not surprising that there was an explicit trend to lure these children to actively choose a Jewish identity.

Discussion: discontinuity and connectivity

At first sight, religious conversion seems to entail a clear-cut transformation that involves irreversible severance of the convert’s social and familial ties with his or her former co-religionists. This, at least, is how it was described by scholars of medieval Jewish

history.⁴⁷ How could the convert, after such a leap, stay in touch with members of his or her former community? Indeed, why would he do so after joining the religion of the rulers? And how could the leaders of a small Jewish community allow associations between their flock and an apostate who deserted it? However – and against the prevailing concept in scholarly literature suggested earlier – the sources themselves reveal a complicated reality in which some apostates “burned all their bridges”, while others not only maintained commercial or social ties, but even kept up familial relations with their spouses and children.

The complex picture that emerges is one of transformation *and* preservation, of discontinuity *and* connection. Horden and Purcell, in their seminal work *The Corrupting Sea*, promote the theme of discontinuity and interconnectedness as an overarching characteristic of the history of the Mediterranean. As is well known, Horden and Purcell suggested that the unity of the Mediterranean is best demonstrated by its immense diversity. In fact, the Mediterranean is divided into various micro-regions, each with its own specific natural and historical conditions. Yet these distinct micro-regions are also well connected to other micro-regions, and it is this connectivity which enables them to thrive.⁴⁸ As another scholar of Mediterranean history, David Abulafia, has put it, the fundamental characteristic of the Mediterranean is “the relative proximity of opposing shores, but also the clear separation between shores, enabling different cultures to interact with one another”.⁴⁹

On the most basic level, none of the aforementioned stories could have been told without this reality of discontinuity and interconnectedness of the Mediterranean. Tuvia migrated from Byzantium to Palestine and Egypt, his wife migrated further with their daughter, and he suggested to their daughter that she return to the Jewish fold and migrate again with him back to Byzantium. Rav Judah b. Joseph was accused of apostatizing in Palestine, migrating to Egypt, and there returning to Judaism. Surūr b. Sabra was accused of having migrated to the Maghrib, apostatizing there, and marrying a Jewish woman, only to later return to Judaism and back to Egypt. These and other cases show how people could migrate between geographical locations and confessional communities, making new starts in different locations. They also show how the different localities were part of the same world, entwined to a degree that not only allowed for the migration of people, but also of information, gossip, and accusations. Discontinuity and connectedness were at the basis of the plots described earlier: they triggered migration in the hope of evading communal restraints or state supervision, but they also enabled return, as well as the exchange of news and reports between the different parts of the Mediterranean. Our sources imply that if someone wished to evade inspection and convert, or re-convert, he or she could use not only the Islamic-Christian division of the Mediterranean, but also inner subdivisions within the Islamic Mediterranean, such as between Egypt and the Maghrib, or even between Palestine and Egypt, which were both part of the Fatimid caliphate.

While the Mediterranean is a liminal space, which connects and separates the territories around it, converts or apostates are also liminal figures in the social fabric, traversing different confessions, converting and sometimes reconverting, attracting appreciation or suspicion – or both. While some converts, or conversion stories, exemplify the discontinuity and animosity between apostates and their former co-religionists, other cases – such as those recounted earlier – demonstrate on-going ties, cordiality, and the possibility of future reconversion, even in the second generation. The liminal or dual identity of converts was further emphasized in cases in which they were married to non-

converted spouses. In such cases the liminal identity could also be transferred to the next generation.

In a thought-provoking study, Eric Dursteler examined several cases of the conversion of women across the Ottoman-Venetian divide in the mid-seventeenth century.⁵⁰ In his study, family ties, and especially marital bonds – existing or future, satisfying or intimidating – were a hugely important consideration in the winding road between confessional identities. Family ties with members of the former confessional community could persist across generations, and ties with children could, at times, lure apostates or their descendants back to their (or their parents') former faith. The cases presented in the present study demonstrate that this was also the situation concerning apostasy from Judaism in the medieval Islamic Mediterranean.

The cases discussed all occurred within the Islamic lands of the Mediterranean, territories in which people of multiple confessions, creeds, languages, and ethnicities lived side by side, with no clear separation in the workplace, the marketplace, or even private dwelling courtyards.⁵¹ These facts also made their contribution to the reality described throughout the article, by prompting inter-religious contacts. These contacts sometime led to conversion, but that did not necessitate the severance of the convert's social ties, since such cross-confessional ties were a fact of life in the larger society as well. As noted earlier, in the Islamic Mediterranean, the attitude of Jewish community members, as well as the religious elite, to apostates was more lenient than their Jewish counterparts in contemporaneous northern Europe. This relative ease, I suggest, should be analysed within the wider framework of inter-religious contacts within the Islamic Mediterranean. It is also reasonable that this attitude towards apostates, and the maintenance of their social ties, may have been motivated by the viability of the option of return to the Jewish fold, as described throughout the paper.

The social reality presented here suggests that in the medieval Islamic Mediterranean, *social* boundaries, much like medieval political and military borders, were not linear, continuous, or well demarcated, but were instead permeable.⁵² As Dursteler writes: "Political authorities, inquisitions, or muftis might attempt to demarcate orthodoxy and to inscribe fixed, unyielding boundaries ... but in reality these borders were porous and malleable."⁵³

The present article brought several cases which suggest that in the eleventh through the thirteenth centuries in the "Geniza society" of the eastern Mediterranean, religiously mixed families were a known phenomenon, the result of apostasy of Jewish men to Islam. In a social context of pervasive inter-religious encounters, ties between apostates and their former co-religionists were not necessarily severed, and that included even family ties and marital bonds. The endurance of family units despite apostasy of the husband and the possible formation of new families in which Jewish apostates to Islam married Jewish women, helped preserve the *social* Jewish identity of the apostate, regardless of his current *religious* identification. In addition, the legal perpetuation of marital bonds even if the apostate spouse left the family – as in the case of Tuvia's wife – by definition resulted in enduring relations between apostates and their Jewish family members. The endurance of these social and familial ties sometimes meant that a liminal identity was passed on to the next generation. This situation had consequences both for the nuclear and extended family as a social institution, and for the process and long-term effects of conversion from Judaism and back. The family became the arena for religious conversion and boundary maintenance, a catalyst or deterrent in such conversions, and a

buffer for the long-term social effects of apostasy – to the point that some cases could end with the apostate, or their offspring, returning to the Jewish fold.

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Notes

1. About this interesting figure see Ankori, “The Correspondence of Tobias ben Moses”.
2. The manuscript is to be found at Cambridge University Library (CUL), Oriental Collection, 1080 J 21, quote from lines 3–4. Transcription and translation to Hebrew published in Gil, *Palestine During the First Muslim Period*, vol. 2, no. 293, pp. 521–2. For the Cairo Geniza generally and its use for social history of the medieval Mediterranean, see the classic work of Goitein, *A Mediterranean Society*, and his introduction, 1:1–28.
3. This sentence should be understood this way, as a hypothetical clause, and not as an actual offer to ‘buy’ the daughter. This is the more accurate translation; see Blau, *Grammar*, 254 sec. 400 (and against Gil’s Hebrew translation in Gil, *Palestine*, vol. 2, no. 293, line 14). This also makes more sense in the larger context of the letter, from which it is clear that the main obstacle, in Tuvia’s eyes, is the need for his daughter to make a clear choice between him and the Jewish people on the one hand, and the girl’s mother and the Muslims on the other. This statement should be understood as a reiteration of Tuvia’s good financial standing and willingness to help his daughter, on the condition that she will choose Judaism. The text and context of this letter, and related documents, make it clear that it is not a case of ransom from captivity.
4. CUL, Or 1080 J 21, lines 12–16; all translations are mine, unless otherwise indicated.
5. See Goitein, *A Mediterranean Society*, 2:278.
6. Rustow, *Heresy and the Politics of Community*, 264.
7. The literature on this subject is vast. For conversion in Geniza society, see, briefly Goitein, *A Mediterranean Society*, 2:299–311. For legal discussions see Blidstein, “Who is Not a Jew?”; Irshai, “The Apostate as an Inheritor”. Most studies on this period confine themselves to specific events or individuals, and do not study the phenomenon as a whole.
8. See, for example, a Geniza letter which mentions the divorce of Abū ‘Imrān from his wife after his conversion to Islam in Yemen, in the latter half of the twelfth century: CUL T-S Ar. 40.56, transcribed in Goitein and Friedman, *Maḍmūn Nagid of Yemen*, no. B64, pp. 420–7. English translation and discussion can be found in Goitein and Friedman, *India Traders*, 2:64, 496–502.
9. See Simonsohn, “The Legal and Social Bonds”; Simonsohn, “Communal Membership”.
10. In the original *gōyīm*, which usually means Muslims in Judaeo-Arabic; see note 5.
11. CUL T-S NS 90.2, recto line 27–verso line 3: the query was transcribed and translated to Hebrew in Friedman, “Responsa of Hai Gaon”, 75–81.
12. On Islamic law concerning apostate women, see Friedmann, *Tolerance and Coercion*, esp. 177; Shatzmiller, “Marriage, Family and the Faith”, esp. 240, 242–4. See also Uriel Simonsohn’s new article, “Female Conversion to Islam: A Sample Analysis of Medieval

- Narratives of the Prophetic Age”, in this Special Issue of *MHR* (35.1). Concerning an apostate male, see Friedmann, *Tolerance and Coercion*, pp. 163–6, 170–2. For Muslim men marrying women from the “people of the book”, see Friedmann, *Tolerance and Coercion*, 172–93.
13. See Katz, *Exclusiveness and Tolerance*, 68–53; Blidstein, “Who is Not a Jew?”, 369–74; Irshai, “The Apostate as an Inheritor”, 442–5.
 14. See the thorough discussion in Simonsohn, “The Legal and Social Bonds”.
 15. In late Antique Palestine, apostates were viewed as dead in the eyes of their Jewish family members: Friedman, *Jewish Marriages in Palestine*, 1:417–18.
 16. See briefly Goitein, *A Mediterranean Society*, 2:299–303. This theme was not yet taken up systematically, but see Yagur, “Religious Identity”, 132–203.
 17. See Kanarfogel, “Changing Attitudes”; Goldin, *Apostasy and Jewish Identity*, 66–8.
 18. See note 11, recto, lines 14–24.
 19. CUL T-S Ar. 40.96. See succinctly Goitein, *A Mediterranean Society*, 2:301; 3:200, 264. See transcription and translation to Hebrew in Yagur, “Religious Identity”, app. 2, no. 23.
 20. In the Mālikī school the time period was four years. See a discussion of the different opinions by the famous eleventh-century scholar (grandfather of the renowned philosopher) Ibn Rushd al-Jadd, *Bidāyat al-Mujtahid*, book 20 (marriage), section 3.
 21. See, for example, the case of a widow whose brother-in-law, who was supposed to either marry her or release her to remarry, apostatized and disappeared. A legal query was sent, and the answer is clear: “This betrothed woman ... is chained and remains [so] forever. There is no solution for her and she cannot marry” – *Otzar HaGeonim, Yevamot*, no. 77. See partial translation and discussion in Simonsohn, “The Legal and Social Bonds”, 422.
 22. See a short description of him in Cohen, *Jewish Self-Government*, 104–8. His opponent was 'Eli b. 'Amram; see a thorough discussion of his leadership and the said conflict in Bareket, “Excellent Ḥaver’ or ‘Excellent Traitor.”
 23. CUL T-S K 25.244, verso, lines 34–5. See a transcription and translation to Hebrew in Gil, *Palestine During the First Muslim Period*, vol. 2, no. 399, pp. 736–41.
 24. About Surūr ibn Sabra see briefly Frenkel, “The Compassionate and Benevolent”, 223. About the Ibn Sabra family more generally see the information in Zinger, “Women, Gender and Law”, 283.
 25. The Hebrew word *pōshe‘a*, a criminal, formed the basis for the Judaeo-Arabic verb *fasha‘a* or *afsha‘a*, “to apostatize”; see Goitein, *A Mediterranean Society*, 2:300–1, and see the Judaeo-Arabic dictionary of Blau, *A Dictionary*, 504. Here we find a unique form of this verb, an active participle.
 26. CUL T-S NS J 360. Transcribed and translated to Hebrew in Gil, “Palestine During the First Muslim Period”, no. 449a, pp. 336–9.
 27. CUL T-S 12.347, right margins, line 3. Transcribed and translated to Hebrew in Gil, *Palestine During the First Muslim Period*, vol. 2, no. 295, pp. 525–8; this is not a proof, however, and could be just a fleeting expression of animosity.
 28. CUL, Or 1080 J 21, line 5.
 29. *Ibid.*, line 34, right margins, lines 1–3.
 30. See note 5.
 31. For descriptions of Tuvia’s wife as originally Christian, see Gil, *A History of Palestine*, 815–18; Rustow, *Heresy and the Politics of Community*, 262–4. As a supportive evidence for Tuvia’s wife Christian identity Gil pointed to highly cryptic and partial hints by Tuvia in a rhymed Hebrew letter, which I believe do not provide us with new evidence. Goitein, who insisted that Tuvia’s wife must have been originally Muslim, had to settle this with the mentioning of her sister as living as a Jewess, along with her husband, in Jerusalem. He therefore suggested that these sisters were both originally Muslim, were kidnapped by pirates and purchased as slave girls by Byzantine Jews; later they were both emancipated and thus converted to Judaism, and were then to marry Jewish men and migrate to Palestine. This ingenious solution has no basis in the extant information. See Goitein, “Parents and Children”, 57.
 32. Since Tuvia writes that they had seen him, we can surmise that they either lived in Jerusalem or had visited there lately.
 33. A choice between opposing religious identities was also given to children of Jewish converts to Christianity in medieval Christian Europe. I consider these cases as distinctly different, however, since they reflect a formal choice sponsored by the Christian authorities, and were

- apparently nurtured by Christian suspicion towards Jewish converts, rather than unofficial, under-the-radar possible reversion to Judaism in the cases discussed here. On this phenomenon, see Liberles, “When They Come of Age”.
34. See Safran, *Defining Boundaries*, for Muslim legal literature in ninth–tenth-century Spain; Simonsohn, “The Legal and Social Bonds”, for Jewish Gaonic sources; Simonsohn, “Communal Membership”, for Syriac sources discussing similar issues.
 35. *Otzar HaGeonim, Shabbat*, no. 398.
 36. On Muslim circumcision see Wensinck, “Khitān”. And see a recent discussion of Islamic perceptions of circumcision in Salaymeh, *The Beginnings of Islamic Law*, 105–35.
 37. For Muslim legalists recoiling from connecting Islamic circumcision with the Jewish one, see the sources cited and discussed in Salaymeh, *The Beginnings of Islamic Law*, 128–30.
 38. For a thorough discussion on the development of the matrilineal principle in classical rabbinic thought, see Cohen, *The Beginnings of Jewishness*, 263–307.
 39. Literally *yeze le-tarbūt ra’ah*, “will turn away towards bad culture”, a Talmudic expression usually denoting apostasy.
 40. Abraham Maimonides, *Teshuvot Rabbeinu Avraham*, no. 54.
 41. Abraham Maimonides’ reference to lineage might strengthen the possibility that indeed “these two” are the apostate woman and another Jewish man, and not her apostate husband, in light of the previous question regarding the issue of adultery.
 42. The language of these *responsa* suggests that it would be the children’s active choice, rather than their apostate parents’ upbringing.
 43. A survey of various cases of converts to Islam relapsing to their original religion from the historical, rather than the legal-theoretical aspect is a desideratum; see Cook, “Apostasy from Islam”. A fascinating case of a Jewish clerk from fourteenth-century Şafed who converted to Islam (presumably coerced by his *mamlūk* amir) but later returned to Judaism, is known from several versions of his autobiography; see Mann, *Texts and Studies*, 2:201–55. See also Safran, *Defining Boundaries*, mainly 117–24, for religiously mixed families in tenth-century Muslim al-Andalus.
 44. JTSA ENA 2560.6, verso, left margins.
 45. The Jewish law of *mamzer*, a child born out of certain forbidden relationships, is different than a bastard, hence the quotes. For *mamzer* see Bar-Ilan, “The Attitude Towards Mamzerim”.
 46. See, Maimonides, *Mishneh Torah*.
 47. See for example Blidstein, “Who is Not a Jew?”, 376; Shatzmiller, “Marriage, Family and the Faith”, 257; Ben-Sasson, “The Jewish Identity”, 21.
 48. Horden and Purcell, *The Corrupting Sea*, 24–5.
 49. Abulafia, “What is the Mediterranean?”, 26.
 50. Dursteler, *Renegade Women*.
 51. Concerning the discussed region and period, see for example Goitein, *A Mediterranean Society*, 2:289–99. Recently, Uriel Simonsohn revealed how Jews and Christians could “shop for justice”, exploiting to its fullest extent the inherent legal pluralism of the medieval Islamic Mediterranean; Simonsohn, *A Common Justice*.
 52. For a succinct overview of the fluidity of medieval borders see Ellenblum, “Were there Borders and Borderlines”; Brauer, “Boundaries and Frontiers”.
 53. Dursteler, *Renegade Women*, 109. And see similar conclusions in Safran, *Defining Boundaries*; Simonsohn, “Halting Between Two Opinions”.

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