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MARRIAGE AND DIVORCE AMONG ANDALUSI CHRISTIANS

THE COUNCIL OF CORDOBA (839) ON MARRIAGE AND DIVORCE

The bishops met in Cordoba (839), after more than a century for which no canon law evidence has survived. The council was called by archbishop Juan of Seville, one of those who had been teaching Arabic in his archbishopric for polemical confrontation, and presided by Wistremirus of Toledo, still in his category as Primate of Hispania. The celebration of the meeting in Cordoba was the final coup to the ancient Metropolitan see, for the prestige of the Archbishops as heads of the church was suppressed on behalf of the political capital of al-Andalus and its Bishop.

The fragmentary canons deal with several heresies considering predestination and quarrels around the nature of Christ, but more interesting for our point, a number of questions of orthopraxis posed by those groups. Leaving aside the question of how to call these deviant groups, the practices concerning marriage sound unsurprisingly similar to those faced by the Eastern communities. The council mentioned those who married incestuously or breaching consanguinity in the degrees permitted by the church. The council also refuted those men who practiced bigamy. They established that taking a woman divorced by a previous husband is unlawful. They also rebuked those parents who give their daughters as wives to an infidel –that is, a Muslim–, and finally condemned those who allowed priests to practice medicine, own taverns or engage in business. However, no mention is made of the danger of conversion to Islam in any of these unions.

English translation:

7. And for this nefarious desire, moved by the zeal of our faith, we admonish those men who assemble in the Catholic Church, both clerics and laymen, of all ages and gender, of the adjacent sees and the cities governed by the metropolitans, who have not joined us in this council, to agree in one to uproot [this heresy]. They introduce unknown [things], by which they deceive innocent, fainthearted, slight souls, counselling and deceiving them with deceptive doctrines and evil traps. Such are the Casianists, Jovinians and simoniacs, with nefarious privileges of long standing that put forth divine cult. They bend in disgraceful incest or consanguineous marriage bonds and, like Lamec, prefer to marry two women at one time, and take she who was released by somebody else, or those faithful who give their daughters in marriage to an infidel. They also [allow] a priest to practice surgery –which is flebotomy– and mundane activities in taverns and business. As the Apostle says: “None of those who serve God should apply to secular business”, and establish that no cleric nor priest should live with women outside the family except the mother, the wetnurse, the maternal aunt or his sister. Therefore the saint synod establishes and judges that we permit them to live with these women who are really almost adoptive or tied by blood, as the saint canons teach. By no means we pronounce that obedient to the clergy, we prefer them to dwell removed in their aspect and face.

Ms. Ar. 1 Cathedral of Cordoba. Ed.: Gil, Juan. *Corpus scriptorum muzarabicorum*. 2 vols. Madrid: CSIC, 1973, 139-140