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'Bloodmoney and brideprice have no merit': marriage, manipulation, and the transmission of resources in a S. Tunisian village

1. Introduction

This paper is about the presentation and manipulation of the exchange of goods and services in Southern Tunisian marriages. It is also an attempt to explain the rationality of such presentations by reference to the transmission of property and to domestic politics. Most discussions on marriages among the Arabs have noted that the size of marriage payments are no necessary reliable guide to the social position of the contracting parties (Comaroff, 1980; Peters, 1980) as seems to occur in the European Mediterranean, although ethnographies on Tunisia (e.g. Cuisenier, 1976; Abu Zahra, 1982) are silent on this point. Tapper (1981) has even suggested that direct exchanges and brideprice are 'alternative forms' of marriage, the former egalitarian the latter hierarchical. Even where brideprice is exchanged, 'the complicated system of gifts and counter-gifts allows of great variations, so that it is extremely difficult for an outsider to know how great are the expenses which a bridegroom in any one case really has for his bride when everything is taken into account' (Granqvist, 1931:126).

This paper has three purposes. First, it suggests that concealment, 'complication', and a certain presentation of the exchange of goods and services at marriage, far from being impediments to analysis, provide critical insights into the rationality of Southern Tunisian marriages. They enable a number of statements to be made by the contracting parties to each other, and to the public at large. Such statements may not be congruent with each other; men (and women) manipulate them for various ends, often with ambiguity and conflict.

The second purpose is to ground such complex exchanges, with strategically manipulable definitions, in the transmission and exploitation of property, and in domestic politics. In contrast to many transactionalist writings (e.g. Comaroff, 1980; Rheubottom, 1980), I do not take the lack of exchange or transmission of goods at marriage as necessarily opposed to stratification, nor to theories which give causal

importance to modes of property transmission (Goody, 1976), although the problematic of property in N. African marriage strategies is often cast elliptically. In S. Tunisia complexity in marriage payments, even the occasional overt absence of substantial economic transfers, are partly a function of the perception of *risk*. Conservatism and a fear of losing control over material and symbolic resources (land, kinsmen, domestic harmony, etc.) influence the manipulation and presentation of marriage payments. Such risks vary and are perceived differentially across various strata; they also vary within and between the property-holding contracting groups. The strategic organization of marriages, their familial and social definitions, are therefore of paramount concern in a society where every marriage offers new opportunities for realignments of individuals and their access to resources. It is not only with *whom* marriages are arranged which is important, but *by whom* and *how* they are pursued and *presented* (through marriage payments) within the family and the wider society.

A final concern is to reintegrate property transmission in the analysis of marriage strategies and marriage payments. The standard argument is that men marry close kin to 'keep property within the family', yet the reality is that they often divide.¹ For with and besides land, men inherit a determinate set of social relations which constrain or encourage them to certain courses of action. Such relations are as important as property in structuring the field of marriages. If men (and women) hold property jointly for long periods, as in Southern Tunisia, they are as equally liable to quarrel and divide as to arrange marriages between themselves. Hence both inherited land and social relations affect the choice of affinal alliances.

II. Social Organization of El Hamma el Djerid

El Hamma consists of an oasis cluster of 4 hamlets (Filej, Nemlett, M'Hareb and Arik) 9 km from Tozeur and approximately 500 km from Tunis. Its total population in 1980 was 7,498 divided (in 1972) into approximately 1200 households. About 71% of the male labour force are *fellaha* (farmers), though some 30% of these also work as wage labourers on a nearby nationalised ex-Colonial French plantation; 12% are *khammesa* (sharecroppers) and the remaining 17% follow a variety of occupations (merchants, shopkeepers, vegetable stall sellers, bakers, etc.) Only some 30% of its total area of 470 hectares of palm trees produce the *Deglaat ennour* date, the main cash crop; the remaining land produces other date varieties with limited cash crop potential. Acreage is therefore less important than the variety of date and water-rights; and land is far from evenly divided. The hamlet, Arik, is mostly inhabited by sharecroppers.

Dates have been marketed on a large scale since the 1950s; previously they were exchanged for wheat and other staples through the Bedouin. A limited amount of vegetables are grown for home consumption and some wealthy men possess goats and cows whose milk fetches a high price locally. Date cultivation is not labour

intensive, nor specialised apart from fertilisation (*dhukkar*), and mechanisation has made few inroads as the hoe (*mes 'a* is used. Women do not work the fields nor are they greatly involved in processing the cash crop (which requires little preparation). Though political and economic advantages are attached to large domestic groups, there is a less compelling need as in the past to maintain the ambiguous ideal of an extended household consisting of a man, his wife and their married sons. Common productive activities are limited to fertilisation and harvesting. Economically, long exposure to wage labour in the mining industry on which many young men depend has weakened the elders' traditional monopoly of land, probably the single most important factor weakening the extended domestic community. With the introduction of cash the domestic community is united more in the redistribution of income from various sources rather than production. Finally, domestic activities such as the preparation of food, require less collective effort than in the past, partly due to the marketing of new foodstuffs and their storage through refrigeration.

A small-scale survey of 28 households in one neighbourhood revealed that half of all households consisted of nuclear family units. Of the remaining half, 14% consisted of single, divorced or widowed individuals with no conjugal ties, whilst the remainder (36%) contained a father and 2 or more married sons or an agnatic core of 2 co-residing married brothers (11%); the remaining 25% contained the elderly mother of the (male) household head. The latter should therefore be considered extended households in the last stages of the developmental cycle; it is clear that the extended household is a significant form of domestic organization.

The significance of the extended household is partly due to the social and economic dependence of the young upon their elders. Economically, unmarried sons are expected to contribute to the family purse; in return the father pays the *maḥr* ('brideprice'). Some men had flatly refused to arrange their sons' marriages as they had not contributed to family funds. Dependence is likely to increase for some years after marriage; the building of a house is expensive and liable to last an average of 7 years. Supplementary income from parents is welcome, and there is always the fear of being cut off from the patrimony. As the older generation controls access to the womenfolk, marriages are likely to be arranged to increase the dependence of the young upon the old. Fission offers ambiguous benefits, and the effects are neither short-term nor circumscribed. They affect the pattern of eventual division of property, align individuals in certain configurations, and therefore ultimately affect successive marriage patterns. Caught within this is a certain presentation of social reality influenced by their perceptions of government attempts at 'modernization'. In the next section I examine this presentation and the overall general features of marriage patterns in El Hamma.

III. The Presentation of Marriage

There are two levels to the presentation of marriage in El Hamma; both possess varying degrees of concealment, ambiguity and political subtlety. At the first most general level there is the attempt to deny the importance of *'arush* (sing. *'arsh*: patrilineal descent group), or that the exchange of goods at marriage is reflective of social stratification. When questioned, men initially attempt to present an ideology of open exchange: 'we don't marry within the *'arsh* any more; that was the practice of our *jdud* (ancestors)'. Over twenty years of government propaganda against what Bourgiba, "le Libérateur de la Femme Tunisienne", called 'outmoded beliefs' such as close marriages and *habous*, maraboutism and *hadras* (ecstatic seances), have made villagers more circumspect in describing themselves, just as most marriage contracts indicate 1 Dinar as *shart* whereas in reality large sums are often transferred. Most vocal are the young men who claim to reject close marriages citing the bio-genetic reasons advanced in radio programmes; to them such marriages are the symbol of their domination by their elders, but most marry those decided for them, a proportion of whom are close kin.

The attempt to define the present as radically different from the past, in effect to cut off the past, is more than mere rhetoric. Contained within such statements are a number of unresolved contradictions, highlighting the relationship of the villagers to the political elite in Tunis, and certain tensions within the village social structure. Government exhortations combined with a selective use of koranic precepts (such as a low *shart*) find fertile ground within the village especially among the poor. Destourian socialism merges imperceptively into the egalitarian *umma* not merely in free-floating values, but also in (and because of) the overlapping of secular and religious power in the village: the present *Imam* was previously the Rais Chaba (Village Party Head); the present *Rais* was educated at the Zeitouna mosque. When men point to some spectacular examples of marriages across class and family boundaries to support their claims that between rich and poor there is no distinction in marriage, they invariably indicate these men in whose structural interest it is to maintain and service such beliefs. The local elite do not need to rely on an overt system of stratified marriage to buttress their pre-eminence; indeed such a system would cut them off from the legitimation of the *umma* and the grass roots party framework which mutually re-enforce each other. Instead they arrange their marriages in certain ways; they can choose the poorest of men, a *khammes* (sharecropper) as an affine accepting 1 Dinar as a symbolic *shart* (brideprice), yet carefully arranging other marriages to balance it, and gathering prestige through virtuousness. It is a system which relies on subtlety, selective concealment, and the careful balancing out of different and competing claims.

A competing system of discourse emphasizes local endogamy, referring to a foundation myth which links 2 hamlets (Nemlet and Arik) against a third (M'hareb) in a conflict over women.² The story (sometimes referred to by informants to explain

why they do not intermarry) highlights the negative consequences when preferential marriage to those who claim to have rights, such as a FBS, conflicts with sentiments of collective local honour; marriages which cross local boundaries result in conflicting loyalties, and active hostility (feud) was transformed into passive non-exchange of women through a marabout's intervention.³

The two systems of discourse, one universal, pietistic and egalitarian, the other particularistic and emphasizing parsimony, fix the conceptual boundaries, as it were, of social evaluation. Yet although men can draw upon two competing evaluative systems to describe their own and other men's actions, it is important to note that there is no overall hierarchy of marriages according to the amounts transferred as occurs in Southern Europe (Sant Cassia, 1982). In other words social position cannot be 'read off' the amounts transferred at marriage. This is due to (i) the use of brideprice as Peters (1980) has pointed out, as an index of social distance between the contracting groups, (ii) that the exchanges are not always unidirectional, and (iii) because there is often a conscious manipulation and even concealment of the amounts transferred. In short, there is a private and public presentation of marriage payments; various actors attempt to insist on one presentation in contrast to another.

IV General Marriage Patterns

Two main analytical questions arise when discussing marriage patterns in El Hamma. First, what is the unit of analysis; second, whom do villagers tend to marry? It is generally agreed that the concept of the "family" is of limited analytical value in North Africa societies (Peters, 1978; Cuisenier, 1976; Davis, 1977). In her discussion on 'The Meaning of Family Ties', Hildred Geertz observed that '(the) assumption that Moroccan society is successively "built up" out of component "families" whether these are assumed to be domestic groups or descent groups, can lead only to error' (1979:136). In this article I shall be taking the joint land-holding group as my unit of analysis; land is the basis of unity, and often of conflict. It is a referential point around which and through which villagers maintain the service links among themselves. It frees the observer from inflexible definitions and points to fluctuating boundaries which can encompass the domestic group, dispersed kinsmen, and even affines in certain occasions. As constantly shifting networks and concentrations of claims, rights and duties, structure the social field in coalitions partly grouped together around access to land, the analysis switches from static groups to the changing nature of links between individuals, and how they are reproduced across time.

Table 1 indicates whom villagers tend to marry; half of the men and women tend to marry within the '*arsh*' (patrilineal descent group), of these 12.5% are to the *bin'amm*. The survey upon which these figures are based was conducted in one neighbourhood. There is no reason to believe that they are unrepresentative. Apart from the somewhat dubious value of confirming the pattern noted by other

anthropologists (e.g. Granqvist, 1931), the figures indicate nothing on the reasons why villagers chose such spouses. Indeed they show that 'out marriage' requires as much explanation, if not more, than the anthropologically cherished practice of FBD marriages (50% vs. 12.5%).

Table 1. Spouses of men in one neighbourhood (in *M'hareb*)

KIN								
	FBD	FZD	MBD	FBSD	FZSD	SAME ARSH	NON KIN	TOTAL
No.	4	1	1	2	1	7	16	32
%	12.5	3.125	3.125	6.25	3.125	21.875	50	100

An additional problem is that the figures refer to *men's* marriages; women tend to marry within the *'arsh* to a greater extent, or at least within their natal hamlet. Indeed men justify local endogamy, meaning women's marriages, by reference to control of land. Women's marriages thus require different interpretation which I shall return to below, but it is generally recognized that women often claim their rights to land, and marriage to a neighbouring hamlet is a potential invitation to claim land rights.⁴ In short the preference of men and women is generally towards matrimonial self-sufficiency within the hamlet; failing that there is a preference towards marriages with more distant towns rather than with neighbouring hamlets.⁵

Apart from the crucial importance of land, the control and restriction of women's marriages is due to political reasons; both men and women believe that marriage outside the locality would socially isolate a woman, and increase the possibilities for divorce activating claims upon her agnatic kin.

At this point it is worthwhile to deal with the critical question of the extent to which women inherited (or successfully claimed) land in the past. The issue has often been raised in anthropological accounts (e.g. Khuri, 1979, etc.), and clearly influences marriage patterns. In El Hamma there are many old men who currently exploit land inherited from their mothers, although some activated claims which their mothers had left dormant. Men do not distinguish between the *ganoun orfiya* (customary law), which Cuisenier (1976) claims disinherited women, and Islamic law (though the availability of the *makhma* — lawcourts — and recent government initiatives have undoubtedly facilitated the claiming of rights). Rather, they talk about "giving up property rights to others", *selmu*, (to hand over intact).⁶

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Ideed, as I hope to show, the question of whether women inherit property or not should be framed differently; it should be approached in terms of who (regardless of gender) activates claims to the parental estate from those who have assumed management (usually one or a couple of brothers), and who does not, preferring to leave their claims dormant until the right time asserts itself. If women wish to claim their share of the parental estate their portion is usually given them; many, however, chose not to do so, especially in the early years of marriage. Insistence at this stage would be tantamount to isolation from kin, clearly against a woman's interests especially if marital problems emerge. Hence most women prefer to leave their claims on the parental land and house dormant, to be exploited by the dominant brother from whom they receive some recompense. This is especially true of the parental home to which they can return, from which they cannot be excluded by their brothers' wives. In short, for both men and women absolute control of property implies absolute control over one's destiny, and hence to have no claims upon others. This is a society where men and women transform every social action into a debt which must be reciprocated. Independence in the S. European sense (meaning to be free of obligations) implies weakness and to be free from the possibility of exerting influence on others. Other rights can be claimed against property (e.g. sustenance and support in the case of a woman's divorce), but property should not be claimed for itself ideally. Indeed women usually claim their shares late through adult sons who replace their brothers as resources should marital problems emerge (such as the importation of another younger wife). Women who claimed their land at an early stage in their marital careers were either married to very distant kin, or to very poor men who valued strict short term economic criteria over long term affinal unity.

Two consequences follow from this. First, because women can make claims against men and can subvert the whole structure of cooperation, men (especially brothers) attempt to arrange their marriages in certain ways to weaken such tendencies; simultaneously, women, especially mothers, attempt to influence or change these decisions either to ensure that their own position in the household is not threatened (such as through the importation of a HBD) or, for their daughters, to guarantee that they have as much leverage over the menfolk as possible (such as insisting on a high *mahr* to make divorce more costly). The upshot of all this is that husbands and wives often conflict over the arrangements of their children's marriages, but wives have the upper hand for they can severely disrupt domestic harmony.

Given this main distinction between those who work the land in the name of a collectivity and those who do not, the major problem becomes: who can gather the most powerful coalition behind him against other claims; or put differently, who can devise as many strategies as possible to convince the other heirs that it is in their interest to allow him to represent them and work the land. Failing that, it is a question of how much of the patrimony he can claim.

In the next section I examine the use of marriage as a strategy to increase claims upon the estate, and even weaken the claims of others. Central to this approach is the view that marriages cannot be seen individually in isolation, but in relation to the whole system of marriages within the property-holding group. Furthermore, as the transfer of goods at marriage is complex, various actors attempt to manipulate their private and public presentation in pursuance of their strategies.

V. The Arrangement of Marriage and Marriage Payments

Marriage is a collective 'family' decision, although the most powerful member of the household (male or female) may decide unilaterally and prevail upon the other members to accept it. In the past marriages, especially between *uled l'amm*, were occasionally arranged *mil-hofra* (lit. 'from the hole i.e. at birth) so named after the hole in the corner of the house where the afterbirth was buried, and were a clear attempt to control all aspects of fertility. Apart from the desire to circumvent fission and cement the ties between brothers who might come to quarrel over their father's inheritance when their daughters were of marriageable age, another reason was to ensure that the daughter would be promised (*maḥouba*) should she be orphaned.

In the arrangement of marriages it is useful to distinguish between those who plan and make the initial proposal, from those who bargain and negotiate over the details once the proposal has been theoretically accepted; the two groups are not necessarily identical. Generally, the former have a clear opportunity to strengthen their position within the domestic group. Yet this is somewhat tempered by the negotiating group, often larger in number, who attempt to impose their definition of the public presentation of the marriage.

Local marriages, what Bourdieu calls 'ordinary marriages' (1977), are exclusively arranged and negotiated by women, including those marriages between *uled l'amm*. Women also often propose marriages outside the village where there is a pre-existing affinal or agnatic link however distant, though it is common for men to be drawn into the negotiations. Men arrange those marriages outside the village where there is no pre-existing affinal or agnatic link between the two households. Often, in the case of sons' marriages, men pretend to maintain a studious indifference, and the bargaining and handing over of the *māhr* is conducted by the mother. There are two reasons for this. First, relations between a father and adult son are marked by extreme formality; second, men are very aware of the powerful influence of their wives in sanctioning marriages. In general, although fathers may propose establishing affinal links, their wives may dispose, and the former rarely insist as the risks of fission within the extended household would increase. When men intervene (or are appealed to) and accept a proposal for a daughter from socially (and/or geographically) distant suitors, they leave the 'details' to the women. Such 'details' are far from insignificant; as I shall show they may define the marriage publicly in certain ways and may even weaken the motives underlying the proposal. Men readily acknowledge the powerful

influence of women; one man claimed that he arranged his marriage not to coincide with any *aits* (feasts) when he would have been obliged to send the customary gifts to his bride's mother who might have complained about their suitability and value.

Similarly, refusals of a proposal for a bride differ according to gender. Men never refuse a proposal directly; instead a girl's father may attempt a virtuous ploy to discourage unwanted village suitors by claiming that "she is promised to her cousin". Alternatively he and his wife may insist on a high *maḥr*, beyond the means of the family, if they are socially distant. The word used is *seḥtu* (from the root *ṣaḥt* — to forbid), but whereas most men claim that this is not done for economic motives, but for symbolic ones as an indication that they are not keen on the match, women are much keener on the public presentation of high marriage payments for symbolic purposes. I shall return to the symbolic and economic aspects of marriage payments later.

Due to the virilocal nature of marriage and the transfer of goods from the groom's family to the bride's (and back again), the problems faced in marrying daughters and sons are different. The marriages of daughters is an individual problem, it is up to the household head to decide whether to accept the groom's family as affines and he can adjust the *maḥr* accordingly. Men say "*il bini timshi*" — the daughter leaves (at marriage); responsibility for her ceases although she may return in the case of divorce. By contrast the marriage of sons is a collective problem for the whole household because it is partly up to the father to fork out the *maḥ* (and this depends on what other men demand for their daughters), and hence involves careful planning. An added reason is that 'inequality' (in the wide sense) between the inmarrying women (and between them and his wife) can threaten domestic harmony.

Marriage is marked by three transfers of goods and cash: *lotriya*, *maḥr* and *kiswah*. The first consists of the transfer of uncooked foodstuffs (a live sheep, tomatoes, potatoes, semolina, tea, coffee and sugar) and toiletries from the groom's to the bride's household after the signing of the *sdaq* (marriage contract). This food will be consumed by the kin of the bride. Occasionally gifts are sent prior to the signing of the *sdaq* after the two groups have theoretically agreed on the match. They are taken as an indication of the groom's intentions especially when the marriage is to be celebrated much later. The *otriya* is a relatively private presentation and it is consumed by a small circle of the bride's kin. But once an agreement has been made between relations the two domestic groups become more formal, self-conscious, and observant. One man who was promised to his MZD commented that prior to the verbal agreement (the *sdaq* had not yet been signed, a clear indication of the confidence both parties had in each other, whereas among socially distant parties the emphasis is on an immediate closure of the agreement), he often used to visit *dar khaltu* (his MZ's house). "But since I've been *mahtoub* (promised) I don't visit; it's better that way. We will sign the *sdaq* exactly before the wedding, so that everything will be...concentré" (the pun being on tomato paste used for *couscous*, always

referred to by its French name, and the bridal night when the wedding sheets are exhibited). More than light-hearted ambiguity was contained in the remark. A girl's chances of getting married are much reduced if the 'engagement' is broken off especially by her kinsman. It is undesirable to have a long betrothal period.

Mahr and jewellery are often classed together in discourse because they involve a single expenditure by the groom's household, and are bargained over together. Yet they are logically distinct in the paths they follow, and in the use made out of them by the participants. The *mahr* is the sum of money formally demanded by the bride's father from the groom, though women often conduct the bargaining and fix the amount. The cash is then redirected to purchase durables and consumer items such as a fridge, gas stove, crockery, etc. for the daughter who has also been accumulating the products of her labour since puberty. Men describe the *mahr* as "her father gives her", meaning that he has demanded a certain amount on her behalf, though it is not unknown for poor families to retain part of it. Many women claimed that the *mahr* pales into comparison to what they had accumulated and what their parents endowed them with.

In addition gold and other items of jewellery of a specific monetary value are demanded by the bride's mother for her daughter. Thus a 'typical' agreement might specify the payment of, say, 100 Dinars cash and 200 Dinars' worth of jewellery. The latter is a 'gift' of the groom to his bride and her clearest item of security.⁷ Yet although gold is immediately exchangeable for cash in Tunisia (there is a Government pawnshop in Tozeur which conducts a brisk trade), the symbolic nuances are clear. Gold and jewellery are items of personal decoration and display, stored unproductive wealth, rather than consumable domestic items for the use of the conjugal pair, and a clear indication of her value wherever she goes. The gift of gold and clothing denotes the appreciation of and passage to a socially recognized sexuality, similar to the giving of red roses by men to women in Western Europe.⁸ From the standpoint of a groom's household the *mahr* and gold are discussed and evaluated together, and involve a considerable capital outlay. But from the standpoint of the bride and her mother, gold and clothing is something more; it is an appreciation of personal worth, of affinity and a recognition of their sexuality.⁹

The amount demanded from the groom in cash and gold is often an index of the social distance between the two family corporations, and it can be highered or lowered according to the value placed upon affinity by the bride's corporation. Peters is making much the same point when he observes: 'The seeming differentiation of women by bridewealth is not attributable to a single cause, such as status, but to the kind of social relationship already in being or desired' (1980:152—3). Villagers confirm the symbolic character of *mahr* when they claim: "if the bride's family want the '*aris* (groom) they ask for very little". More than mere perceptions of the advantages of affinity are contained here, as land is mainly but not exclusively the basis of livelihood, and as women can claim land irrespective of the size of their

marriage endowments, the operative concept here is perceptions of risk. A 'bad marriage' is almost always one which separates the bride from her kin and precipitates claims on the estate.

Apart from the manipulation of the total amount demanded, the degree of specificity or ambiguity in the demand for *maḥr* permits both contracting groups to elaborate on their conception of social relations. Even when the bride's group is desirous of the match they can hardly specifically demand a small amount for that would devalue themselves and the bride. If the suitor is a kinsman the demand is left vague; small symbolic amounts of cash are demanded, whereas there may be a substantial transfer of gold and jewellery which have the nuances of a 'gift' and of estimation. If the suitor is socially distant, especially if he is from a different *arsh*, there may be complicity in inflating the amount, to 'justify' the marriage outside kinship boundaries, and increase prestige. Thus *maḥr* represents on one level the lowest common economic estimation of the social distance between the two family corporations.

So far the types of marriage payments discussed have dealt with the value placed on affinal relationships (*nasab*) by the bride's family, and it has been merely expressed negatively i.e. by demanding less. Yet a final marriage transfer, the *kiswah*, a gift of items of clothing, henna and toiletries, bought for the bride by the groom, enables the latter and his family corporation to elaborate on their conception of social relations. The *kiswah* procession is the most visible single festivity of the whole marriage, attended by hundreds of men and women who follow the groom, his friends and musicians, to the bride's house. Women make up the rear, the groom's kin (mother, *amnt*, etc.) carrying valises containing items of clothing. Once deposited at the bride's house they are carefully examined by the women who comment critically on the amounts, types of clothing and their quality. Many men who gave a low *maḥr* claimed to have invested in a big way in the *kiswah*, as a sort of compensation.

A final set of 'exchanges' which deserves particular mention because it highlights the separation of the men's and women's worlds is the *ramy* (from the root 'to throw'); this is the giving of money and other goods to the groom and his bride. The principal features of *ramy* are: (i) that it is given separately by men and women to one of the spouses, i.e. it is not given in the name of a collectivity but by individuals; ii) the groom and bride receive separately; iii) it is expected that the amounts given be returned in exactly their same amount in the future though it is acceptable to return gifts at other occasions such as a circumcision, a *hizb*, a birth, the building of a house, or the return from Mecca. The *ramy* given to the groom is economically useful for it is used to establish the new household (though previously it belonged to his father); the money given the bride however is not hers, it is given to her

mother. A woman starts receiving *ramy* when she is a mother for she has been giving since early puberty. Villagers say: "*Kul shey slef*" — every gift is a loan, and most women take their

obligations seriously as well as having a keen memory for the return gifts due to them. Indeed many keep lists together with the amounts due. One typical list which I examined was given by the groom to his mother for safekeeping, as he moved to another town. He also left some money to be used for restitution should the occasion arise. Of note in this list (which was not extensive, there were others) was the preponderance of women, equally divided between kin and non-kin. By scrupulous adherence to the ideology of strict restitution women maintain large extended networks, in some senses far wider than men and separate from them. These networks extend further than their natal family and affinal groups and are continuously serviced through visiting and major life ceremonies; they enable women to exercise a good deal of influence through their knowledge of the domestic affairs of far-flung households.

It thus makes little sense to reduce marriage payments to crude economics, to 'cost' or 'price', on one hand, although these are clearly important. Nor does it mean that stratification does not affect marriage payments, although it is clear that the relationship is complex, for we are dealing with three items (cash, clothing, and gold) which have different symbolic characteristics and are articulated (and manipulated) in certain ways. Status in a hierarchy cannot be 'read off' the size of marriage payments (and there is one sense in which the wealthy make a virtuous display of not demanding large brideprice payments) partly because of the complexity of the exchanges which are not unidirectional, partly because of purposeful concealment and manipulation, and finally because public knowledge of such exchanges emerges out of rumour and the 'stage management' of the *kiswah* procession. In contrast to Southern Europe men do not boast about setting-up their daughters with cash, houses, land, etc.¹¹ partly because it is the women who display and manipulate these images, and because it conflicts with the religious sense of values which places a premium on piety, virtuousness and alliance.

Such systems permit ambiguity and manipulation. Most observers have noted that marriage precipitates various claims and different actors attempt to impose their own definition of the affinal alliance by manipulating its private and public presentation. Perceptions of risk are critical. One basic distinction is between the husband and the wife who insists on a high *mahr* (mainly in gold) especially if her daughter is leaving the neighbourhood or village, for reasons of prestige and leverage within her new domestic group, and to render isolation from kin and *blad* less painful. An added reason is to make the costs of divorce higher, for the groom and his family would be losing the products of many years' labour.¹² In contrast men tend to view the payment of an overly high *mahr* as an abdication of exercising influence over their affines who may eventually lay claims upon the estate. It is a perspective which

prefers to leave debts diffuse and unspecific, rather than treating marriage as a manifestation of status. The next section links these various themes together. It shows how men attempt to manipulate marriages for various ends (not exclusively for property motives) by appealing to certain values, how these marriages make sense only in the total context of all the marriages of the domestic group and how various actors (especially the women) attempt to manipulate their public presentation. Underlying these strategies and motives lies a concern with the control of resources.

VI. Domestic Politics

In *Cousin Bette*, Balzac observed that 'parents may oppose their children's marriages, but children have no way of preventing the follies of parents in their second childhood.' In this section I examine the process of scission and fission within the domestic community which is mainly occasioned by marriage. The transmission and exploitation of resources can hardly be said to follow any general fixed 'rules'. Indeed the process of domestic politics determines how sons move out of their natal home, their subsequent coalitions of interests, and ultimately their own affinal alliances through the marriages of their children.

The causes of fission (in contrast to scission when a son merely moves out of his father's house to set up his own household), can be reduced to three:

- i) the introduction of a new wife for the old man especially when he has adult sons;
- ii) conflicts between adult married brothers;
- iii) the death of the household head and his last spouse.

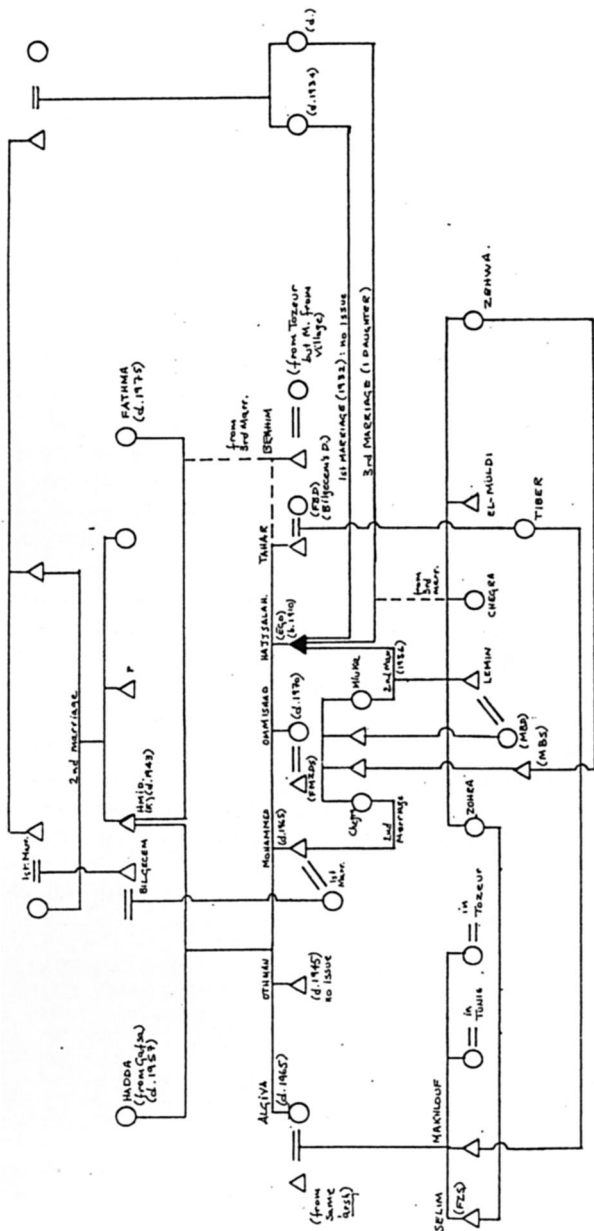
Perhaps the clearest example of fission is when the old man decides to remarry when his sons are adult; the latter have to subordinate themselves and their wives to another woman who will in all probability bear offspring and thus diminish their share in the eventual estate. The situation is so explosive that the adult children of an earlier marriage are often disinherited, by various legal means, in favour of the latest product of the conjugal bed.

By far the most common cause for fission is the conflict between married brothers and between their wives and the old woman. To listen to men describe why brothers fight is to listen to a diatribe on the disruption caused by women; in one sense it suits them to maintain this view. In the past fathers maintained absolute control by ordering their sons to divorce their wives should they prove litigious. Yet the causes are much more complex. Punishment of a sibling's children and the different economic levels between brothers drive wedges between the women. In reality the power of women often derives from their relationship to the dominant man of the domestic corporation, i.e. whether their claims on the dominant man of the household is stronger than the claims of other women. Hence the strong objection of mothers to FBD marriage which weakens their position with respect to husband and son. Men say that if her father is dead a daughter loses some of her spirit when

dealing with her husband for she would have to rely on the uncertain relations with her brothers who are in turn influenced by their wives.

The old men attempt to dissipate such tensions by various means; like *ħirkba*, the game played in the sand, which is a positional game: favouring one son secretly by cash gifts and another by land, marrying 2 sons to 2 sisters (a clear attempt to prevent conflict between unrelated women), marrying one son to one of his kinsmen and another to his wife's kin, in short as Bourdieu (1977) and Marx (1976) observed there are as many reasons for marriages as there are marriages. The marriage of one son influences subsequent ones; some reasons are long-term (preventing the break-up of the estate), others short term (maintenance of domestic harmony in his lifetime) and still others are retro-active and backward-looking (such as when part of the estate is held jointly with distant kin who might eventually insist on a division).

The decision to leave the father's house is risky and costly; risky, because it leaves the field open to other competitors; costly, as most men do not have the necessary cash to build their own house and can take up to 7 years to do so. A man is unlikely to retain claims to the parental home once he has left, for whilst both men and women may live in at least 3 separate domestic communities across time and houses are established by men, it is the women who have the greatest interest in retaining rights to their parental homes to return in case of divorce. On the death of the old man there is the estate to be settled and responsibilities devolved. If he has left a widow (but had children from only one wife) the estate is unlikely to be divided during her lifetime; indeed it is in the women's interest (mothers and daughters) not to divide the property as they require the men to work the land, and to retain diffuse claims upon their brothers (for land and property rights are the basis of unity within the domestic community). Women usually find support from the most powerful son (not necessarily the eldest) whose interest also lies in his control of the land, farming it himself, and giving them and other claimants a proportion of the income. Alternatively some brothers may insist on a formal or informal division which may be resisted by the elder brothers; the latter attempt to gather the womenfolk on their side and press for an informal settlement; re-negotiation to occur at some future unspecified date. The longer the *mes'ul* (the responsible brother) manages to stave off division through responsibility for his sisters' and mothers' shares, the greater the possibility that the use of this land will stay with him and his sons through the non-activation of dormant claims by his sister's children whose shares will be further subdivided. It is not uncommon for estates to be held *indiviso* because an elderly grand- or great-grandmother is still alive, or even for rights to be left dormant and unclaimed over a number of generations. In such cases with a dispersal of kin, a refusal to divide is not necessarily a wish to stay together, as Bourdieu (1977) implied, a view which gives more substance to kinship solidarity. For whilst a division of property in a single generation is always a symptom of grave domestic problems ("*idheken gesmu mitħarkin*" — "if they have divided they have fought"),



ORDER OF MARRIAGE: 1st 3rd 2nd 4th (1942) 5th 6th.
 PT HOME FIG. I: MARRIAGES IN THE AYLA HAJJ SALAH RAMDANI

property may be left undivided over a number of generations because the material and symbolic costs may be greater if they threaten old, transmitted arrangements, than the accruing advantages of a new allocation and division.

The decision to divide is dependent upon three related factors: (1) structural factors such as the number of siblings, amount of land marriage(s) of deceased father, etc.; (2) the evolution of the domestic politics of the corporation; and (3) the marriages of the daughters. Within the first factor one must include the ratio of brothers to sisters (if there are more brothers then there is usually a division), their occupations (whether within or out of the village), the size of the estate and whether it is economical to divide (which often means whether one powerful brother can convince the others that it is not in their interest to do so), and finally whether the children are half siblings or not. For the second factor, domestic politics, one must take into account why some of the sons have moved out, the history of relations between the inmarrying women, and that of the brothers themselves. Finally the marriage of daughters influences claims on the estate: whether they married in or outside the village (in which case their rights remain dormant), and the economic position of their husbands who, if poor and distantly related, are more likely to insist on division. In any case if all the brothers decide unanimously to divide they usually do so among themselves, and it is up to their sisters to insist on their shares. During this time men are pursuing their own strategies to strengthen their claims upon the estate: arranging marriages for their sons, exploiting land in common with other competitors, giving out a field to a kinsman to sharecrop, such that claims pile up and sorting them out becomes difficult. Hence the desire to keep the patrimony within the family, often attributed to the anthropologically cherished practice of *bin'amm* marriage is seen elliptically from the perspective of the father, but it must also be viewed from the perspective of the groom (who has to ask for the wife) who may desire to increase his leverage and claims on the estate when it is eventually divided.

I now want to introduce two examples to highlight the inter-relationship between marriages and inheritance. In the first case what is significant is the way marriages are arranged across generations in order to keep the estate concentrated in a few hands. The second example shows how the process of division itself radically determines the choice of marriage partners for successive generations.

Fig.1 indicates some of the significant marriages of the *ayla* Hajj Salah Ramdani, a family corporation that has maintained its patrimony intact for over 40 years through the judicious use of marriages across successive generations. Put differently it indicates how a branch of the corporation has managed to accumulate successive claims to the estate to manage and work it. The management of the estate fell to Hajj Salah (Ego in diagram) in 1943, the year of his father's death, and is presently being taken over by his son Cheikh Lemin. Hajj Salah has been dealing in dates for over 30 years and acting as an agent for his extended kin, an arrangement which benefits all.

Hajj Salah's father married three times and had children from two wives; he was himself the issue of a leviratic marriage. Undoubtedly the fact

that Fathma, his widow, survived him for a long time (d. 1975), contributed to the maintenance of the patrimony intact. Yet more significant are the marriages of his children. His son, Mohammed, was married off to his half-brother's (Bilgecem's) daughter, to be followed by Hajj Salah (henceforth called ego) who married another of his father's brother's daughters, a much older woman. By this tactic ego's father prevented a division of land held in common with his brothers. After his wife's death, ego married Mluka from another wealthy *'arsh*. Soon after his brother Mohammed married her sister; both women were *barranin* (outsiders) and as two sisters living in ego's father's house this made it easier for them to integrate. At that time both ego and his brother worked their father's fields, but as Hajj Salah wanted to marry Sabiha, his deceased wife's sister, he built a separate house next to his father's with the latter's agreement. Sabiha's marriage was short; relations between the wives were far from cordial and Hajj Salah divorced Sabiha soon after she bore him a daughter. In any case, with his second wife a sister to his brother's wife the costs in domestic harmony were too high. After the death of his father in 1943 Hajj Salah took Brahim, his half-brother to live with him "to be an *ayla wahda* (one family)". There were advantages to this arrangement. Salah had taken over the management of the estate, Tahar his brother had disappeared in a POW camp in Germany, and Brahim was the one most likely to insist on a division, having been born from a different mother. By removing him from his deceased father's house he also weakened the position of Fathma in the daily affairs of the house, which was then occupied by Mohammed. Hajj Salah then arranged Brahim's marriage to a Tozeur woman, which further weakened his leverage on the family estate. However both ego and Mohammed paid Brahim's *mahr*, a clear indication of a corporate mentality. When Tahar returned from the war he married his FBD, a sister of Mohammed's first wife. The logic of the last two brothers' marriages are different; from the perspective of the dominant coalition of interests (the sibs from the first marriage) Brahim's marriage was 'forward looking' in that it weakened his political position in any eventual division of the property, Tahar's marriage was an attempt to *retard* the division of land originally held by their father and Bilgecem which would have directly affected the area they exploited.

In any case the three brothers (ego, Tahar and Brahim) were working the family land together, Hajj Salah was successfully marketing the dates, as well of a wide circle of kin, and any demand to divide would have obliged people to look elsewhere for marketing arrangements.

The logic of arranging marriages for widely divergent purposes, yet with a common aim in mind, emerges also in the successive generation's marriages. Take the children of ego. Algiya, his Z had died in 1965 and her son, Selim, was working in Gafsa. From Hajj Salah's perspective the young man could insist on his mother's share. The latter chose instead to ask for Zohra, ego's eldest daughter, in marriage. Her father did not demand any *mahr* except the traditional 1 Dinar and the couple now reside in Gafsa, Algiya's share still being managed by Hajj Salah and his son Lemin. The other male heir to Algiya's property, Mahloof, is married to Tiber, Tahar's daughter. Algiya's two daughters do not live in Hamma and are unlikely to insist on their shares, preferring to leave them dormant should they return.

Hajj Salah claims that he accepted a *khammes* from Tozeur for his daughter, Chegra, because she had a different mother and he was aware that problems among his children were more likely to emerge. Like Brahim, her father's brother, she is the only one to be married outside the dense network of inmarriages; both have little power in the domestic corporation. Some men claim that she was married off to an outsider because she was very ugly and

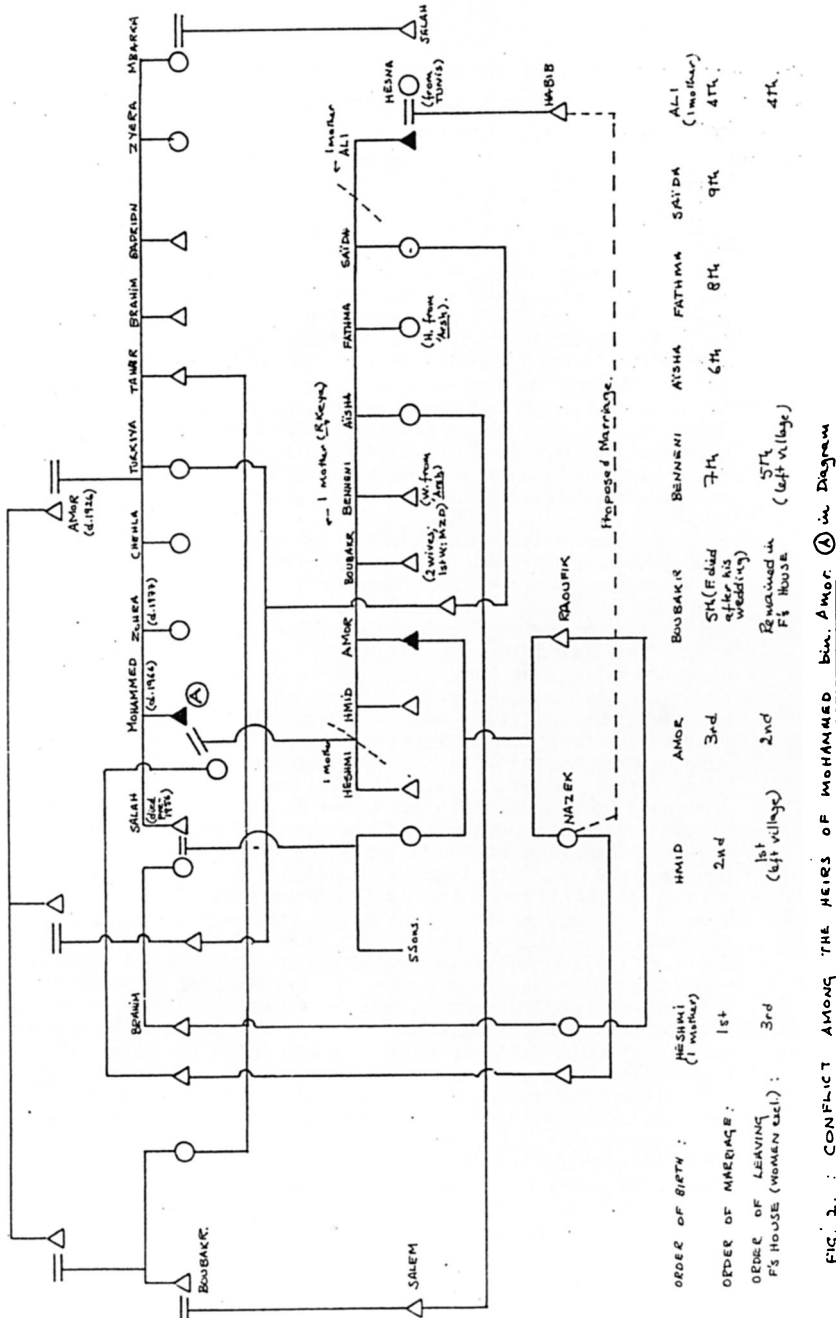
nobody in the village wanted her. In any case a *khammes* from Tozeur has little possibility of working the land himself.

For the marriages of his final two children, Hajj Salah chose to capitalise on his affinal links, an attempt to ensure domestic harmony between his wife and the inmarrying women. Lemin, the Omda or Cheikh, a powerful man with even wider marketing contacts, is married to his mother's brother's daughter; Zehwa was originally asked for by Mohammed's son, her *wild arm*, who was refused as he was a drunkard. He then gave her to his wife's brother's son. Few marriage payments were made in these cases. Lemin's *mahr* was low, "however we spent a lot on the *lotriya* and the *kiswah*. I didn't ask for anything for Zehwa either, in fact I gave her some gold. I didn't give to barranin and I didn't ask for a high *mahr*. Blood money and a high *mahr* have no merit" (*id-diya we iṣ-ṣart is subiya mhush beḥyin*).

This statement by a wealthy, powerful and respected elder is significant. Throughout the Mediterranean brideprice and blood money are classed together (e.g. in Albania, Hasluck, 1954; Palestine, Granqvist, 1931); the association is always negative. Both exchanges have common features: they involve payment for the loss of a member of another group, they require the use of intermediaries (the *wasta*) and hard bargaining, and they establish barriers between groups. Feuding and intermarriage cannot coexist (Black Michaud, 1975), although the latter can be utilised to end a state of hostilities (Jamous, 1981). Conversely, just as blood-money does not necessarily end hostilities, brideprice (especially when set high) is tantamount to a denial of the symbolic value of affinity. Men (and women) may therefore attempt to insist on a high brideprice when they wish to deny or negate claims of pre-existing kinship or affinity.

The nature of local power bases affects marriage settlements and the general marriage patterns. Where there is a discrete group of Learned Families or a land-holding elite, as in Peters' (1982) Lebanese village, the ruling group may resort to one or more of the following strategies to maintain their position. They may either (i) demand a high brideprice to ensure parity, or (ii) disinherit women unilaterally, or (iii) endow them with property rights but marry them within the group (as in Abu Zahra's Sidi Ameer, 1982). In El Hamma there are no saintly families, nor is land the preserve of any one group. There are certainly differences in wealth and land, however, wealth can also be partly acquired and maintained through mercantile activities, as in Hajj Salah's case. Hajj Salah relies on co-villagers to sell him dates in face of stiff competition from Sahil and Sfaxian merchants. There are few overt apparatuses to enforce his position, no pre-existing credit relations or henchmen, except the social relations he can manipulate, including the marriages of his domestic group. He had managed to do so by maintaining the core of the productive group intact through a number of inmarriages yet capitalised on affinal links with other *'arush* to increase claims in successive generations.

The final example draws together a number of themes. It indicates that marriages make sense when approached as part of an overall whole which comprises several



generations. It shows that inherited social relations are as important as property in influencing subsequent marriage patterns, and that the two mutually influence each other. Finally, various actors attempt to manipulate the setting and presentation of brideprice by advancing conflicting estimations of kinship distance.

Problems soon emerge among the children of Mohammed b. Amor Cherigi after his death (Fig.2) in 1966. Ali, the youngest, who was a main protagonist had this to say: "My father was very strict with all of us and his wife; he did not allow her to talk at all in his presence. During the day she was always at home, she only went to the baths at night and he kept a close watch on her. We would stop eating whenever he entered the room and never look directly at him. He ordered Boubakr to divorce his first wife, too, (MZD) after 2 years' marriage, because he did not get on well with her, she spoke too much and didn't seem to respect her husband. We didn't see much of them afterwards. We have the following saying. A young boy asked his father: "what is my mother's brother to me?" His father replied: "my son, were I to divorce your mother, neither would he know us, nor would we know him". Of course it is different today, people don't divorce that easily with the *makhma*. I returned from Tunis with my wife. I couldn't tell her we were coming to stay in Hamma; otherwise she wouldn't have come because she was used to Tunis, so I told her we were just going to visit. When I came back, apart from my father and his wife Rkeya, Heshmi and Boubakr were living there with their wives. Amor, my other brother, had just moved out. The house belonged to my father's father (Ammor b. Ibrahim). I lived there until 9 months after my father's death. At first things went well; my father welcomed me, he gave me some furniture, and I lived there for free. But after he died things got bad. Then, when we decided to divide the sheep and goats, Rkeya claimed my share. I never saw any of the money my father had saved for his trip to Mecca too. Rkeya didn't like my wife and prevented her from using the kitchen which had been built by Amor before he moved out. So I decided to leave after Amor took me to court and he bribed the court clerk to write the wrong date on my summons. I can forget everything, that he robbed me for example, but not the *hakem*; I'll always remember that. Previously Amor and I did not speak for 3 years, and we divided the property in 1969, (the fields but not the house; as they did not agree they had to ask his FFZS to divide). Then, when his son died we made it up. I was in 'Tozeur at the Hospital; Amor was at home. I noticed that the people there were not from the 'arsh, so I bathed and prepared the body and brought him to Hamma. At the burial I buried him myself, spreading the sand and fixing the palms. However I did not take Amor by the hand, we weren't speaking and I had done my duty. That evening Amor sent his son over to invite me to eat with him. I wasn't very eager to go but my wife convinced me and we made things up, but I shall never forget about the *Hakouma*. Habib, my eldest, doesn't go to the *jema* to pray under him; he goes to other mosques. Amor asked me about this and I said I did not know the reason. But perhaps why he doesn't go is because he remembers what Amor did to me in the past."

Ali's discourse contains a number of themes: the conflict over house and fields, his weak political position in the household, and the transmission of bitterness over time. The large field which his father had owned with his brothers was divided into 5 parts between his father (whose share was inherited by Amor), Salah (which went to Amor's wife), Tahar (bought subsequently by Salah, Mbarka's son, and then by Amor), Salah, Mbarka's son (who sold it to Amor) and Brahim. Amor therefore concentrated four-

fifths of the land held *indiviso* by his father and father's brothers. He is the most powerful member of the family corporation, having studied at the Zeituna, become *Rais Chaba* (village party cell President), *maitre* at the village primary school, and finally *Imam*. His FZS, Chehla and Turkiya, turn to him for advice and he has the support of the greatest number of siblings as well as of his mother. By contrast Ali and Heshmu usually have to accept what the dominant coalition of interests imposes.

The conflict has a sequel. When Nazek, Amor's daughter, had reached marriageable age, Amor's wife let it be known discreetly to Hesna (Ali's wife) that were Habib, Ali's eldest, to ask for Nazek in marriage they would not refuse. The young man was a University student and a good match, but Ali seemed disinclined and the matter dropped. Amor's discreet feeler may have been prompted by a desire to heal the breach, but he also preferred a policy of isolation refusing many proposals from villagers, and eventually accepted his mother's brothers' son from a nearby town. For his son Raoufik his wife arranged a marriage with Brahim's daughter, (Raoufik's MMBD), kinsmen whom they had never had contact with, and who lived in another town. The bride's mother initially refused the proposal saying 'we don't give to *barranin*', (the word could have referred to non-kin or non-villagers). Raoufik's mother replied: "we are from the same family". The bride (who had been appraised beforehand by Raoufik's sister) interjected and said 'leave it up to my father.' When he was told he assented, adding that they should discuss and hand over the brideprice quickly. A week later Raoufik's M and his FM met the bride's F, M, and Z; the bride was not present. Initially the bride's M asked for 1000 D. *maḥr* a substantial sum, which was reduced to 600 D; her family will use part of this to purchase the gold. Raoufik interpreted the high demand as an indication that his mother-in-law was not very keen on the match. Ten days later Raoufik's M, his FFZ, and his FM handed over 300 D; the rest will be paid on the signing of the *aqd*. Ali learnt about the arrangements through others and got offended; soon after the two brothers quarrelled over an old house still held jointly.

Conclusion

This paper has examined the implications of the transmission of property upon the arrangement of marriages in a S. Tunisian village. The overt concern with domestic politics, the careful balancing out of various claims across successive generations, and the strategic use of brideprice, is perhaps particular to those systems where elites are fragmented, have no exclusive monopoly over the means of production and rely on various bases of power. When elites rely on ownership of land one would expect to find more overt systems of boundary maintaining mechanisms, as in certain Lebanese villages (Peters, 1972, Gilsenan, 1977), such as different property transmission practices, exclusive marriage arrangements, and even differences in dress and deportment.

This article also raised some general questions about the maintenance of social order in a society which possesses a self-conscious ideology of debt, of giving and of restitution. Cash and items of monetary value are manipulated in two quite distinct ways: to maintain and service debt relations linking individuals and groups in certain ways, and also as a measurement of social distance. On a more specific level it was suggested that marriage payments in S. Tunisian society possess a symbolism which

must be explored quite apart from their economic component. Yet the pursuance of marriage, and the presentation of marriage in public, are clearly influenced by the transmission of resources. And with land men inherit a determinate set of social relations which constrain or encourage specific marriage arrangements. Although men may marry close kin if they can do so because they carry property, they may also often conflict over rights to that property and in some cases no marriage can bridge the gap. Rather than starting with the premise 'men will marry close kin if they carry property jointly', it is important to start with the question: 'What are the implications if land is held jointly between kin?' One implication is that they are as equally liable to quarrel and divide as to arrange marriages between themselves. Within this schema the significance of Tunisian marriages emerges when taken across a number of generations as one attempt among many, made by a wide variety of actors, male and female, brothers and sisters, husbands and wives, elder brothers and younger siblings, agnates and affines, to strengthen their various and sometimes conflicting claims on the patrimony. The manipulation and presentation of marriage payments is one further strategy and source of conflict. The categories change over time, coalitions evolve and claims pile up on claims, to be balanced by counterclaims in the dynamic context of domestic politics.

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Notes

¹After E. Said's (1978) analysis of the presentation and manufacture of the Orient in European literature, hints of 'orientalism' may be read in many accounts of marriage among the Arabs. For example so pervasive and sustained has been the debate on *bin'amm* marriage and other close unions, that it is important to critically examine their first principles. If close unions among North Africans are not forbidden, why should they require particular explanation? In Christian Europe such unions are problematical because they are forbidden by the Church and popular sentiment. Yet what may demand comment in North Africa is precisely the opposite, *viz.* why do people marry non-kin? As there is no rule dividing those who are permitted or prohibited spouses (except to a very narrow degree), why is there an almost unhealthy preoccupation with those marriages which are prohibited by *other* cultural systems? Explanations are similarly unsatisfactory. Cuisenier's distinction

between 'customary' and 'koranic' law (1976) could have evaluative implications, quite apart from the dubious status of 'customary' law. Statistical analysis of preferential marriages to the *bin'tamm* also fail to explain other types of marriages. Even explanations which rely on the property motive, a universal concern among agriculturalists, are perceived through European lenses, (e.g. 'to keep property within the family') rendering North Africans more like feudal Barons intent on keeping the estate intact by casting out heirs. It is not so much that property is not important in explaining marriage, it is rather that the problematic is cast elliptically.

²The myth tells of a woman whose father was an *M'harbi* and whose (divorced mother was from Arik. The latter refused to give her daughter to her *wild 'amm* (FBS) from M'hareb and promised her instead to a family from Nemlet. On the *leylet id-dokhla* (wedding night) she was captured by her *wild 'amm*. The resulting feud between Nemletin and Arkiin on the one hand, and M'harbin on the other was only suspended through a marabout's intervention.

³M'hareb is the only hamlet to be surrounded by a 'cordon sanitaire' of saints' tombs.

⁴Perceptions of relative status nuance the little exchange that occurs. Nemlet, the wealthiest hamlet, claims that "(the) M'harbin take (our women) but we don't ask (for theirs)". As Mauss observed: "to give is to show one's superiority, to show that one is something more and higher...to accept without returning or repaying more is to face subordination, to become a client and subservient" (1954:72). The poorest hamlet, Arik, by contrast, tries to present an ideology of exchange, but as *khammesa* they are shunned by other localities.

⁵This has the effect of limiting the possibilities of a demand for a division and concentrating the land in the hands of those who remain within the village. For reasons I shall outline below it is often in women's interests to maintain such links with their kin.

⁶I am excluding *habous* (public, mixed, or private) which often excluded women from inheritance rights. Figures for the total amount of *habous* in Tunisia vary from 33% (Abu Nasr, 1971) to 40% (Brown, 1964:15) in the pre-protectorate period. Various legal reforms dissipated public *habous*; thus by 1956 the area in public *habous* had declined from hundreds of thousands of hectares to less than 20,000 hectares. There seems to have been little public *habous* in El Hamma. In 1931 the Cheikh wrote to the Director of the *Habous* administration on behalf of certain merchants whose stores in the *souk* had been encumbered with rent for *Habous* purposes, requesting that they be re-registered as *enzel*. The properties were small and the Director noted that the incomes had not been sent to Tunis as was due. Other properties were rented or sharecropped and the *mokaddem* (the man responsible) received 10% of the total income. There is greater information on private and maraboutic *habous*. The former consisted of land which wealthy individuals registered as a family foundation, was unalienable in perpetuity and the income distributed among the heirs. The total amount of private *habous* was approximately 38 hectares and maraboutic *habous* about 73, making a total of 111 hectares, approximately one fifth of all land. Private and maraboutic *habous* had different administrative regimes. The former was administered by one of the heirs of the *habous* founder, usually the most respected and powerful member,

and often exploited by the heirs themselves. In reality the fields were divided into smaller parcels corresponding to the number of *dyar* (households), but rotated to ensure equality over a certain time period, and to prevent the emergence of permanent claims. Maraboutic or mixed *habous* was land donated to a *wali* or saint as a result of favours bestowed. Approximately 70 hectares had been bequeathed by different *'arush*. These lands were rented or sharecropped on 2-year contracts, but there is less information on their administration. It appears that as there were no saintly families in Hamma, the land was mainly exploited by descendants of the original bequeather. From the accounts of old men it appears that as more recent settlers to the village could not claim land there, they entered into some form of clientage to powerful *'arush*, working their land and creating new fields (*senia*) on the *murgharsa* contract. This was a form of Islamic and Ottoman land tenure which gave men who grafted wild fruit trees or created new fields rights to their ownership. After the palm trees began to bear dates a proportion of the field would be given to the sharecropper. Some men from these client *'arush* married their patrons and their descendants adopted their patronymic. In some cases the original land-holding *'arush* donated the newly-created land to a *wali* to escape taxation. However as most saints left no heirs they could claim most of the income apart from the expenses involved in maintaining the tomb. El Hamma thus differs from Sidi Ameur in the Sahil where most *habous* was owned by the descendants of the saint (Abu Zahra, 1982). Men who demonstrated descent from the saint could claim rights, and women who married out of the *'arush* could not transmit these rights. It is not surprising, therefore, that genealogies in Hamma are shallow (only 5 generations deep) but wide in the present, whereas Sidi Ameur genealogies are deep and narrow. Villagers are explicit in stating that "rich *aylât* (families) had *habous* if they had many daughters so that the land would not leave the *ayla*" (*ma yoħrog*), and also that it was designed to prevent wayward sons from frittering away their inheritance. The general feature was the disinheritance of women for rights were transmitted exclusively down the male line. Women had rights to *khobz* (i.e. sustenance) but not to the income (*flus*), and could not transmit these rights unless married to a man who held rights to that *habous*. *Habous* also covered marriage expenses and the *armelatun*, i.e. support when widowed, yet these rights lapsed at marriage. The position of divorced women varied according to the provisions of the original testator. In most *'arush* divorced women could not claim sustenance from the estate. *Habous* was dissolved in 1957. It is clear from Cuisenier's examples (1976) that far from being an autonomous customary decision to disinherit women by virtue of the *ganoun orfiyya*, many women did not inherit precisely because land had been made *habous*. Although the effect is the same the reasons *why* women did not inherit were different and somewhat predetermined by the practices of previous generations.

⁷It also suffers less from depreciation and is easily 'transportable' in the case of divorce or separation. 1 Dinar was approximately equivalent to £1 in 1983.

⁸I owe this observation to Professor Goody's interest in "the culture of flowers". A woman's jewellery is likely to grow if the marriage prospers; many men buy gold bracelets etc. as gifts for their wives when they visit Tunis.

⁹Mundy (1981) has noted that Yemeni women exercise all their ingenuity in displaying what (Tunisian) men would consider 'baubles'.

¹⁰Perceptions of risk vary according to the overall general hierarchical position of the domestic groups concerned. Thus wealthy 'families' almost always draw up wills (*waṣyya*). Large transfers seem to have been a problem in Tunisian society for some time. A Beylical decree of 1941 attempted to limit the amount paid as *mahr* and the trousseau (*sawar*). Paradoxically this was well received by both the Zaytuna clergy and progressives. The then chief Imam welcomed it as an attempt to resolve the problem of the decrease of marriages and births; he noted that fathers ruined themselves to increase the value of the trousseau, and complained that the Islamic 'dot' (i.e. *mahr*) had lost its 'moral value' because the *mahr* which the groom is obliged to give his bride was one of the manifestations of men's mission to care for women. If it is the woman who supplies the groom with all he requires, he complained, the divine word changes its meaning, for it is the woman who support men, a situation contrary to the nature of civilisation and the moral order". (Quoted in Borrmans, 1977).

¹¹I am thinking here of Italy (Davis, 1973) and Cyprus (Loizos, 1975).

¹²In contrast to Peters' Cyrenaican Bedouin the *mahr* is transferred totally at marriage. In the Bedouin semi-pastoral context this system appears to have an added function, quite apart from giving the bride and her kin leverage over the groom. It disperses a man's resources through debts in various corporations, thus minimizing the risk of total loss of the flock.

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