

Blood Linkage and Social Order in Egyptian Village Society

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Preface

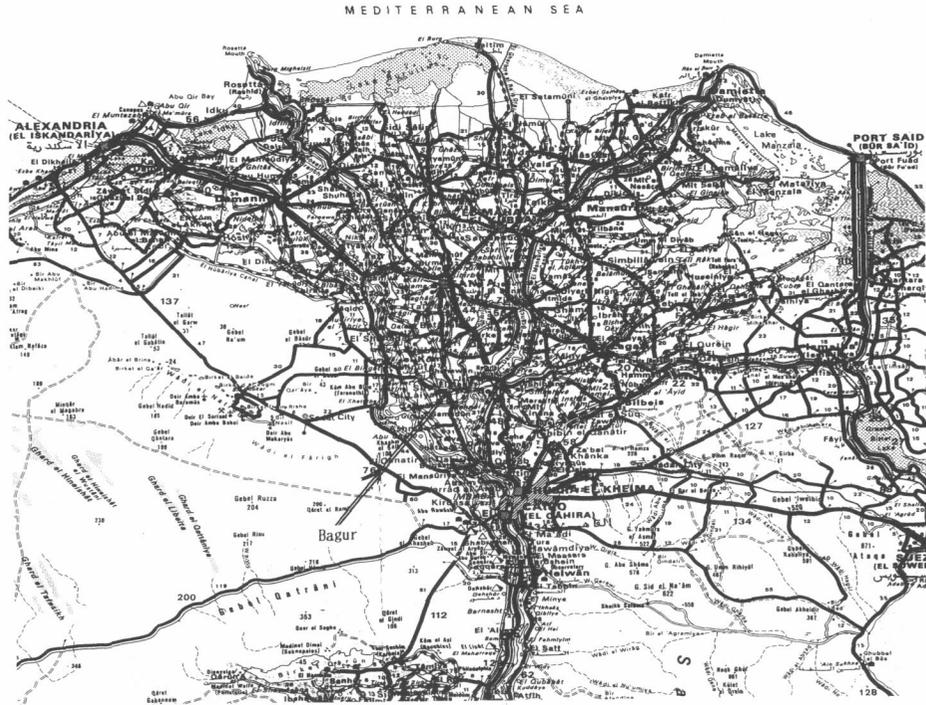
The purpose of this paper is to analyse the important role of blood linkage in the social life of the Egyptian village, as reflected in certain lawsuits concerning illegal confiscation of villagers' properties by the headman of the village of Abu Sineta. This paper has four sections: Section One briefly describes the village of Abu Sineta, site of the lawsuits. Section Two introduces the scandal that occurred in Abu Sineta about one hundred and fifty years ago, in 1853, and that led to the twenty lawsuits against the village headman. Section Three explains one of the twenty lawsuits in relation to the swindle of a villager's inheritance by the village headman. And finally, Section Four analyses the important role of blood linkage in the social life of Abu Sineta, based on this lawsuit.

I. The village of Abu Sineta

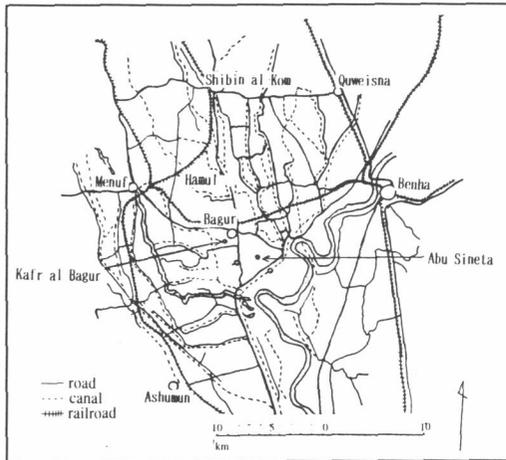
Abu Sineta is a typical Egyptian village in the District of Bagur, Menufiya Province, in Lower Egypt, as shown in maps (1) and (2). It is about one hour and twenty minutes away from Cairo by car. The name of Abu Sineta can be found in source-materials from medieval times, but the tradition of its history has not been known until now. The history of the village that we can hear from the village seniors only goes back to the time of their grandfathers.

As for the reason why there is no tradition of village history, villagers unanimously answer that they live too busy a life to pay any attention to the old days. But, another probable reason is the large number of visitors to this village throughout history because of its location near Cairo.

The old residential district—see map (3)—is around the mausoleum and mosque named for a saint, Sidi Mash'al, and located in the center of the village. In recent times, however, as the



Map (1) *The map of the Lower Egypt*



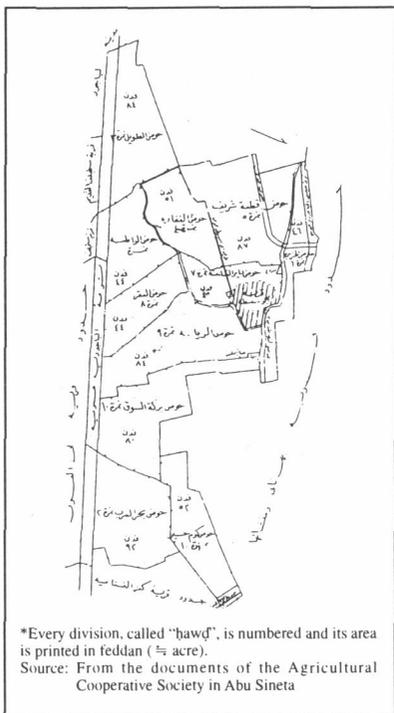
Map (2) *The map of Province of Menufiya*

population increased, many houses have been built outside this old district.

In a small square facing the mosque of Sidi Mash'al are the buildings for villagers, such as the post office and the religious school of Azhar, a Qur'anic school (*kuttāb*) attached to it, meeting place (*duwwār*), and nursery school managed by the village cooperative society (*gam'iya*). In 1995, a lower secondary school was opened to supplement an elementary school already in the village.

According to the census in 1986, the village had a population of 4,002¹. Almost all

1 As for the population in other years, 1,847 in 1882; 2,253 in 1898; 2,609 in 1907; and 3,180 in 1976. These statistics are according to the population census of each year.



Map (3) *The map of Abu Sineta: the residential district and the divisions of the cultivated land belonging to Abu Sineta*

عدد المزارع	مساحة المزارع
٤٤٢	٤٤٢
٤٥٦	٤٥٦
٦٧	٦٧
١٨	١٨
٢	٢
٧٦٠	٧٦٠

the scale of landholding (feddan ≅ acre)	the name of cultivators
less than 1	423
1-2	256
2-3	67
3-5	18
5-10	2
more than 10	0
the total of cultivators	760

Source: From the documents of the Agricultural Cooperative Society in Abu Sineta

Table (1) *The number of cultivators in Abu Sineta in 1994 by the scale of landholding*



Photo (1) *A view of the minaret of Sidi Mash'al Mosque from the ruined old residential district of Abu Sineta*

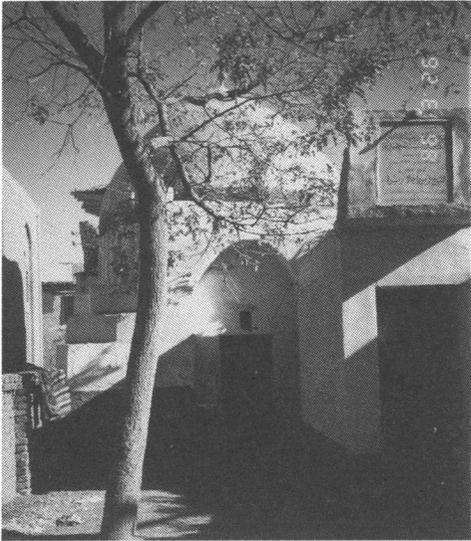


Photo (2) *The Mausoleum of Sidi Mash'al in the center of Abu Sineta*

village inhabitants are, as shown in table (1), small-scale farmers. In this sense, Abu Sineta is a typical village in Menufiya Province, an agricultural region cultivated mainly by small farmers. A part of the economic life there can be observed in map (4) in relation to the chains of periodic markets.

This province has also produced many officers and soldiers. As is well known within the country, current president Mubarak and former president Sadat are from Menufiya Province.

- the chain of the "market of live-stock" and the day of market
 - (1) Kafr al-Bagur, Monday
 - (2) Tuesday
 - (3) Wednesday
 - (4) Thursday
 - (5) Saturday
- the chain of the "market of vegetables" and the day of market
 - (6) Abu Sineta, Thursday
 - (7) Saturday
 - (8) Sunday
 - (2) Tuesday
 - (9) Wednesday
- * The market on Monday at Bagur, the seat of the district government, is excluded from the chain.



Map (4) *The chain of periodical (weekly) markets in District of Bagur, Province of Menufiya, being ringed around Abu Sineta*

II. *The scandal of Abu Sineta*

In 1853, a severe conflict in the village of Abu Sineta occurred between two influential families, the Mansur family and the Barrin family, for the hegemony of village administration. I discovered it unexpectedly sixteen years ago in a document entitled “Documents of the Vice-royal Cabinet, Turkish Department, Document of Carton No. 5, Document No. 300” (*maḥāfiz ma’īya sanīya turkī, maḥfaza raqm 5, wathīqa raqm 300*), at the Egyptian National Archives (Dār al-Wathā’iq al-Qawmīya).

This document is a detailed investigative report drawn up by the state in relation to twenty lawsuits against the *’umda* (village headman) of Abu Sineta. In this report are found the detailed



Photo (3) *A scene in early afternoon of Abu Sineta*

contents of three lawsuits out of twenty concerning the illegal confiscation of villagers’ properties by the *’umda*.

The background of this conflict is the introduction of the position of the *’umda* into the administration of Abu Sineta. This occurred during the rural reorganization for the purpose of administrative centralization in modern Egypt under the reign of Muhammad ‘Ali Pasha (1805-48) in the mid-nineteenth century².

Before the rural reorganization, the traditional village official was called the *shaykh al-balad*. He was the representative of the *ḥiṣṣa* (village district) in which he lived. In almost all

² On the rural reorganization under the reign of Muhammad ‘Ali, see Hiroshi Kato, “The Egyptian Rural Society in the Mid-Nineteenth Century as Reflected in the Document on Petition for the Exemption from Military Service”, *Mediterranean World* XIV, the Mediterranean Studies Group, Hitotsubashi University, Tokyo, 1995.

cases, the other inhabitants in the *hiṣṣa* belonged to the same family (*'ā'ila*). If a village had several *hiṣṣas*, several *shaykhs* were appointed for the village administration.

In contrast, only one *'umda* was appointed in every village. Whereas the *shaykh al-balad* was the traditional leader in village society, serving as the representative of the villagers against the state, the *'umda* was responsible for village control under the direct supervision of the state, although both of them could be described as village officials standing between the state and village society.

The introduction of the position of *'umda* into village administration in the mid-nineteenth century disturbed the balance of power in village politics, because information, rights and interests were centralized around that position, within a background of state authority.

The scandal of Abu Sineta was a typical disturbance of this kind. In 1853 abuses of authority by the first *'umda* in Abu Sineta led to more than twenty lawsuits against him.

This scandal was so big that it has continued to have a great influence over the relationship of villagers. I visited the village in 1986 and was surprised to discover that the scandal of some 150 years ago was not only remembered among the villagers but also determines their current relationships in Abu Sineta.

I have published a book in Japanese three years ago on this scandal, entitled *Abu Sineta. An Egyptian Village Society in Judicial Documents*³. The book comprises two kinds of works, being based on source materials of different types, one being the unpublished documents of the Egyptian National Archives and the other the firsthand information I gathered from those concerned with this scandal.

The first task is to reconstruct the political strife that occurred about 150 years ago in the village of Abu Sineta, using the documents to analyse social relationships and networks among villagers at that time, and then to clarify the causes of the conflict, namely, the social, economic and political background of the authority of the *'umda*, a typical village notable in nineteenth century Egypt whose influence extended over central as well as local administration.

The second task is to introduce the villagers' tales of the conflict, which they used to give me information during my frequent stays at Abu Sineta since my first visit in 1986. Then, I analyse the transformation of village social life during these 150 years, using comparisons between the reconstructed stories from the documentary materials and the inherited tales of the villagers.

Discussion in sections three and four depends entirely on the reconstructed stories from the documentary materials in this book, especially a judicial document about the lawsuit on the inheritance of Muhammad Deeb, a villager of Abu Sineta.

³ Hiroshi Kato, *Abu Sineta. An Egyptian Village Society in the Judicial Documents* (in Japanese), Sobun-sha, Tokyo, 1977.

As was pointed out above, the report drawn up by the state comprises the detailed investigation on three lawsuits concerning with the illegal confiscation of villagers' properties by the *'umda*. The lawsuit of Muhammad Deeb is one of the three. I have used it as a case study because it is the longest and most detailed lawsuit, and also one in which the wirepullers of the severe conflict in Abu Sineta between two influential families make an appearance.

III. The brief summary on the lawsuit of Muhammad Deeb

On Jumādā II 1249 (August/September 1833), a soldier named Muhammad Deeb from the village of Abu Sineta died at Adana in Syria (present Turkey) after having fought in Hijaz on the Arabian Peninsula, Morea in Greece, and Syria⁴. He left an inheritance (the movables mainly composed of his salaries and pensions) behind him.

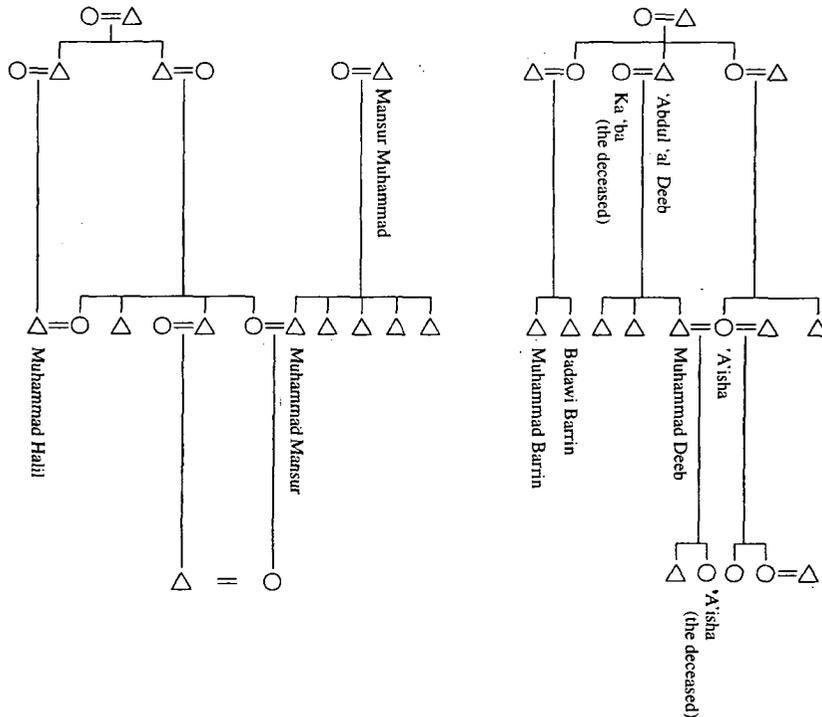


Figure (1) *The relations of the persons concerned with the lawsuit of Abu Sineta*

4 As is well known in Egypt, conscription for military service was introduced there quite early, in 1822, and Muhammad 'Ali, the ruler of the time, made many expeditions to expand territory and exploit new markets. Muhammad Deeb participated in almost all the expeditions made by Muhammad 'Ali in the 1820s and 1830s.

The inheritance should have succeeded to his father, 'Abdul'al, and his wife, 'A'isha, according to Islamic law as shown in figure (1). However, Mansur Muhammad, the judge (*qāḍī*) of the village, and his son Muhammad Mansur, the '*umda*, took advantage of the fact that Muhammad Deeb had no child at that time. They made plans to swindle him out of his inheritance, without announcing the death of Muhammad Deeb to his family, in conspiracy with their relative by marriage, Muhammad Efendi Halil, who was, as is demonstrated by his title of respect, Efendi, the official of the Province.

In the following year, 1250 (1834/35), they pretended that the father of Muhammad Deeb had already died and then drew up a petition to the effect that those who had the right to succeed to the inheritance of Muhammad Deeb were his mother, Ka'ba; his wife, 'A'isha; and his daughter, 'A'isha, and also that the wife of Muhammad Deeb was appointed as the guardian for her daughter, who was still very young. This petition was presented to the Ministry of Military Service and was accepted by it.

This was a totally false petition. Of the three female inheritors, only the wife of Muhammad Deeb was alive at that time, but she had not been informed of the death of her husband. It clearly appears from this falsehood that the petition was created for a swindle related to the inheritance of Muhammad Deeb, while keeping the facts secret from his family. In this crime, the '*umda* and his group declared that the inheritors were only female, although there were male inheritors, and then the swindlers appointed appropriate male representatives and guarantors for the female inheritors.

At any rate, the swindle was successful. The share of the daughter 'A'isha, that is, about sixty-six percent of the total inheritance, was directly invested in a foreign company, and then from 1250 (1835) to 1264 (1849), for fifteen years, the income (*fā'id*) was transmitted in several payments from the company, formally in the name of the daughter 'A'isha but practically by way of the mother, 'A'isha, who was her representative to receive the income.

In 1265 (1849), the bonds of interest were lost, and new bonds were reissued by the company. On this occasion, the trick for the swindle was activated. A false report was made that the mother 'A'isha, who was alive then and had been reported as one of the female inheritors, was also dead; a villager was appointed in her place by the '*umda*, Muhammad Mansur, as the new representative for the daughter 'A'isha to get the income from the company. From 1265 (1849) to 1268 (1853), for three years, the income was paid from the company, in two payments, and received by this new male representative.

All the while, the group of the '*umda* tried to make this conspiracy a perfect crime by fair means or foul. They illegally requisitioned the other two brothers of Muhammad Deeb as soldiers, and these men later died during their military service. The father of Muhammad Deeb, who was robbed of his means of livelihood, that is, three sons, was forced to leave the village of Abu Sineta for a while.

As for the wife of Muhammad Deeb, who learned of the death of his husband after some years, she got married again for the livelihood and lived in Kafr al-Bagur, the village of her new

husband. There, she gave birth to two daughters. But later, she returned to Abu Sineta to bring up her daughters, as the second husband also died.

However, the day finally came when the criminal conspiracy was brought to light. In 1268 (1853), a severe conflict developed between the group of the *'umda*, Muhammad Mansur, and the Barrin family, whose leaders were Muhammad Barrin, the *shaykh al-balad*, and his brother, Badawi Barrin.

Badawi Barrin appealed to the state on the matter of the inheritance of Muhammad Deeb, who had been a soldier and a son of his maternal uncle, asserting that the *'umda* pretended that the late daughter of Muhammad Deeb, 'A'isha, was still alive in order to carry out a swindle of his inheritance in her name, and that this *'umda* got unlawful profit for twenty years by investing it with a foreign company, although this inheritance should have been under the control of the state.

The group of the *'umda* responded quickly to this appeal. In 1268 (1853), they tried to cover up the crime by the alteration of public documents. They registered the death of 'A'isha in the register of dead persons (*daftar qayd al-mutawwafin*) of the village and ordered a judge to draw up the certificate to confirm her death.

The registration in the register of dead persons was done in the name of the mother 'A'isha, but the certification for death was done in the name of the daughter 'A'isha. Apparently, this was a trick to pretend that the daughter 'A'isha, who was reported to be still alive in the petition of inheritance, although she was dead at that time, was dead in reality, by confusing the mother with the daughter, taking advantage that their names were the same.

Then, in the following year, 1269 (1854), when the state started to investigate whether the appeal from Badawi Barrin was correct or not, the group of the *'umda* carried off the wife of Muhammad Deeb, that is, the mother 'A'isha, and his father, 'Abudul'al, who was alive at that time but had been reported to be dead in the petition of inheritance, and confined both of them in the house of Muhammad Efendi Halil in the village of Hamul, to avoid their having to obey a summons from the state and testify about the inheritance of Muhammad Deeb.

The pretense that the wife and father of Muhammad Deeb were dead worked so perfectly that the state was cheated and the appeal from Badawi Barrin was simply hushed up. But, the group of the Barrin family was not discouraged and repeatedly appealed to many authorities, to the effect that investigation of the crime of the *'umda* should be continued. This Barrin group expanded the appeal not only to the *'umda* and his father but also to Muhammad Efendi Halil for the abuses of his authority.

The state gave way at last to the repeated complaints and appeals from the Barrin family. In Rajab 1269 (April/May 1854), three Imperial Orders were dispatched to the Ministry of Treasury, in which the state ordered the confinement of the *'umda*, Muhammad Mansur, the presentation of the register of dead persons (*daftar qayd al-mutawwafin*) and the register of inhabitants (*daftar al-ta'dad*) of the village of Abu Sineta, and the investigation of the abuses of authority by Muhammad Efendi Halil.

The investigation by the Ministry of Treasure in this occasion was done in much detail. Numerous witnesses were summoned, and many kinds of public documents were referred to. In the process of the investigation, inconsistencies observed in the words and deeds of the group of the *'umda* were pointed out and strictly impeached. The scandal of Abu Sineta was brought to light. The final judgement of the authority on this scandal was summarized as follows:

This case was concluded to be an unsavory crime undertaken by the *'umda*, Muhammad Mansur, and his party, who illegally swindled the heirs of Muhammad Deeb and then got unlawful income by investing the funds in a foreign company. Therefore, the total value of the inheritance plus the income from the foreign company, the amount Muhammad Mansur and his father had illegally stolen, was to be collected from Muhammad Mansur.

All the collected money was given to 'Abudul'al, the father of Muhammad Deeb, and 'A'isha, the wife of Muhammad Deeb, according to the Islamic rule of succession. As for the punishment of the leader of the crime, the *'umda*, Muhammad Mansur, he was to be dismissed from the post of the *'umda* and get one year's imprisonment according to the proper penal regulations.

IV. The blood linkage and the social order in the village of Abu Sineta

We can estimate the degree of "nearness" of social relationship in the village society through an analysis of the plots and tricks in this crime, a thoroughly planned conspiracy briefly summarised above. As is shown above, the leader of the crime, the *'umda* of Abu Sineta, exploited his authority to accomplish the crime, using every means he could to remove the persons concerned with the inheritance, in order according to the degree to which they had greater rights and interests to the inheritance.

This fact suggests that the order in which the *'umda* removed these persons from the inheritance for the achievement of the crime marks their order of "nearness" to the person who left the inheritance, that is, Muhammad Deeb.

The figure (2) shows those who had the right to succeed to the inheritance of Muhammad Deeb⁵. They can be categorized into two groups, the agnatic heirs, called the *'aṣaba* (the father and brothers of Muhammad Deeb, in this case), and the Qur'anic heirs (the wife of Muhammad Deeb, in this case).

The *'aṣaba* originally meant the agnatic relatives. In pre-Islamic Arabia, the rules of succession were connected directly with the system of tribal warfare; that is, the participation in combat of the man and the non-participation of the woman. Thus those who inherited an estate in the pre-Islamic system were able to trace their relationship with the propositus by male

⁵ On the Islamic Law of Succession, see, for example, N.J. Coulson, *Succession in the Muslim Family*, Cambridge University Press, 1971.

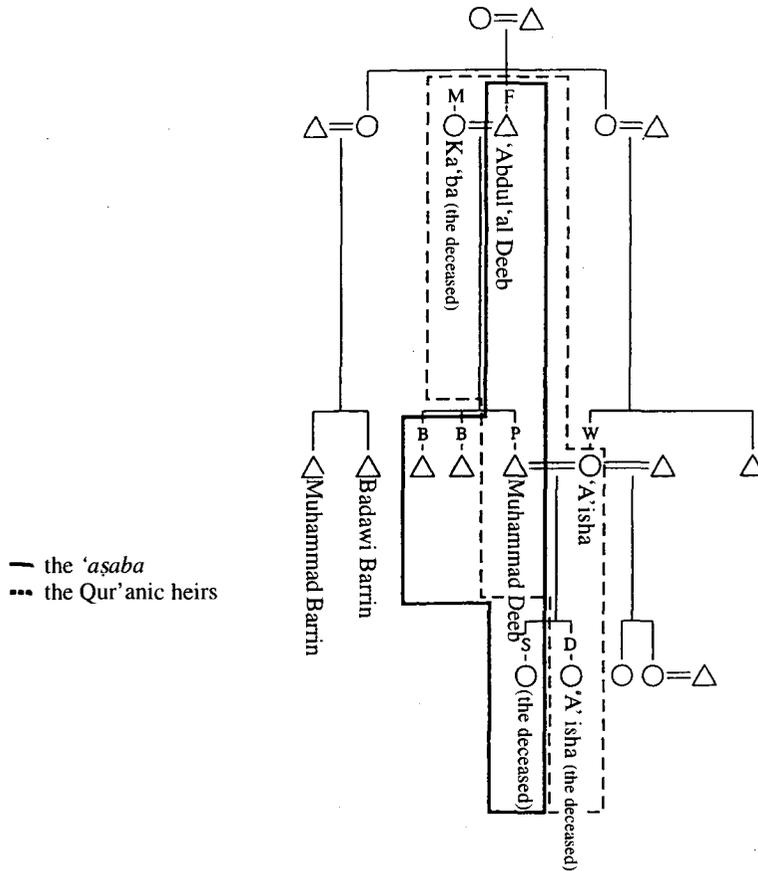


Figure (2) The patterns of succession on the inheritance of Muhammad Deeb

1. the real pattern

(a) before the requisition of two brothers as soldiers

F
 |
 B - B - P = W

the Father (the 'asaba $\frac{3}{4} \times \frac{2}{4} = \frac{3}{8}$)
 the Wife (the Qur'anic heirs $\frac{1}{4}$)
 the Brother (the 'asaba $\frac{3}{4} \times \frac{1}{4} = \frac{3}{16}$)
 the Brother (the 'asaba $\frac{3}{4} \times \frac{1}{4} = \frac{3}{16}$)

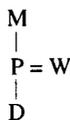
(b) after the requisition of two brothers as soldiers

F
 |
 P = W

the Father (the 'asaba $\frac{3}{4}$)
 the Wife (the Qur'anic heirs $\frac{1}{4}$)

2. the false pattern

(c)



the Mother (the Qur'anic heirs $\frac{1}{6} + \frac{5}{24} \times \frac{1}{4} = \frac{1}{6} + \frac{5}{96}$)

the Wife (the Qur'anic heirs $\frac{1}{8}$)

the Daughter (the Qur'anic heirs $\frac{1}{2} + \frac{5}{24} \times \frac{3}{4} = \frac{1}{2} + \frac{15}{96}$)

P – the Propositus
(the deceased)

F – the Father

M – the Mother

W – the Wife

B – the Brother

S – the Son

D – the Daughter

3. the other possible patterns

(d)



the Wife (the Qur'anic heirs $\frac{1}{4} + \frac{3}{4} = \frac{4}{4}$)

(f)



the Daughter (the Qur'anic heirs $\frac{1}{2}$)

the other half falls to the state

(e)



the Wife (the Qur'anic heirs $\frac{1}{8}$)

the Daughter (the Qur'anic heirs $\frac{1}{2} + \frac{3}{8} = \frac{7}{8}$)

links exclusively. These relatives (*'aṣaba*) provided the cohesive unit of the Arabian tribe.

The Qur'an imposes important restrictions on the rules of succession of pre-Islamic Arabia, although it still complements the old agnatic system, by regulating other persons than the *'aṣaba* as inheritors. These persons are the Qur'anic heirs, specifically the husband, wife, father, true grandfather, mother, true grandmother, daughter, son's daughter, and uterine brothers and sisters.

An especially epoch-making regulation was to give the wife the right of inheritance, for she is a person outside the *'aṣaba*. The objective of this regulation is apparently to limit the influence of the tribal system and substitute, in place of the tribal unit, the family as the fundamental unit of social life. In conclusion, the two systems, that of the *'aṣaba* (agnatic heirs) and that of the Qur'anic heirs, coexist in the Islamic law of inheritance. In doctrine, the Qur'anic heirs rank before the *'aṣaba* in the order of inheritance.

Then, let's return to the case of the inheritance of Muhammad Deeb. The pattern 1-(a) in figure (2) is the true pattern of succession, when Muhammad Deeb left the inheritance after his death. However, in practice, the *'umda* petitioned to the state the pattern of succession shown in 2-(c), presenting it as the true pattern. Thus, the pattern 2-(c) is the false pattern of succession.

The decisive difference between the real pattern and the false pattern is that the *'aṣaba*, that is, the father and two brothers of Muhammad Deeb in this case, is successively excluded from the heirs in the false pattern.

First, as mentioned above, the two brothers were requisitioned as soldiers and died during the military service. 1-(b) shows the pattern of succession after these brothers were requisitioned as soldiers. Second, the father was falsely reported to be dead, and thus excluded as an heir, even though he was in fact alive at that time.

It apparently appears from this fact that the obstacle for the *'umda*, who conspired to swindle the heirs, was first of all the *'aṣaba*, not the Qur'anic heirs who rank before the *'aṣaba* in order of inheritance by Islamic doctrine.

At any rate, even if the false succession, in which the *'aṣaba* is excluded for the heirs, was petitioned, the false succession is not necessarily pattern 2-(c), but could be pattern 3-(d), 3-(e) or 3-(f). The reason the wife is assumed as an heir in both the real and the false patterns is that the total inheritance could not be passed on without the wife. So, the pattern 3-(f) is out of the question for in this pattern, the daughter can inherit only a half of her father's inheritance, and the other half falls to the state, if no other heirs are extant.

As for the pattern 3-(d) or 3-(e), at a glance, they are supposed to be more convenient for the *'umda* than the pattern 2-(c) because he could save trouble in his swindling, as fewer heirs are reported in pattern 3-(d) or 3-(e) than in pattern 2-(c).

In fact, while three heirs, that is, the wife, mother and daughter, are reported in pattern 2-(c), only one heir, the wife, and two heirs, the wife and the mother, are reported in the patterns 3-(d) and 3-(e) respectively.

However, the *'umda* took the trouble to bring the mother and the daughter, who had been dead at that time, to life again, and to add them to the heirs in the petition, falsely insisting that they were still alive. Why did the *'umda* take the trouble to do this?

The pattern 3-(d), in which the wife is the only heir, is apparently out of the question for the conspiracy of the *'umda*, for in this pattern, the competence to succeed to and manage the inheritance would move from the family of Muhammad Deeb to the family of his wife.

The *'umda* had to add the mother of Muhammad Deeb as one of the heirs in order to avoid this loss of the competence for the inheritance from the family of Muhammad Deeb. For this purpose, the *'umda* was supposed to be able to choose the pattern 3-(e), in which the daughter is added as a heir. But, he did not do it, because the daughter was too young to succeed and manage the inheritance.

Thus, the final step for the achievement of the crime is to determine how to cleverly swindle the young daughter of her share, which was the greater part of the inheritance. And the measure the *'umda* undertook for this purpose was to use the regulations concerning guardianship for properties of children under age.

According to Islamic Law, the regulation as to a guardian for property of a child left under age after a father's death is that a father or grandfather of the dead man, if living, is to be

appointed as guardian. However, if none of these are living, officials such as the judge appoint a suitable person to be guardian.

Note that, as pointed out above, the father of the late Muhammad Deeb was falsely reported to be already dead. So, the officials were to appoint another proper person as the guardian for the share of inheritance of the young daughter. In this context, the dead man's wife 'A'isha was appointed as her guardian by the judge of the village, Mansur Muhammad, the father of the *'umda*, Muhammad Mansur.

This appointment seems quite natural because according to Islamic Law the mother has the right to put her child under her supervision when she lives apart from her husband or divorces him, for as long as the child is dependent on the mother.

Finally, after taking such a measure, the *'umda* appointed a person under his influence as the representative of the wife 'A'isha to get the share of the daughter 'A'isha, when the inheritance of Muhammad Deeb was practically handed over from the Ministry of the Military Service. The heirs were successfully swindled of their inheritance by the *'umda*.

Concluding remarks

From the lawsuit of Muhammad Deeb, we discover the deeply rooted customs of blood linkage, that is, the *'aṣaba*, in Egyptian village society. As pointed out above, Islamic Law imposes important restrictions on the great influence of the *'aṣaba* in the society, by requiring other persons than the *'aṣaba* as inheritors. These inheritors are called the Qu'anic heirs.

In this connection, the regulation of giving the wife the right of inheritance was epoch-making because she was outside the *'aṣaba*. The objective of this regulation was apparently to limit the influence of the tribal system and substitute the family for the tribe as the fundamental social unit. The rights of family members, especially the wife, are protected by the Law for this objective.

However, paradoxically in the lawsuit of Muhammad Deeb, the legal status of the wife as heir and guardian in the succession of inheritance was taken advantage of in order to exclude the *'aṣaba* of the family, who have the most customary influence in village life, and from whom the Law regulates to protect the wife. In this, the relationship between the blood linkage in the Law and that in customs is impressively reflected.