

THE SEVERAL PEACES OF YEMENI TRIBES

A recent article in this Journal drew attention to 'imprecisions' which seem to inhere in some societies as well as in books written about them. In a discussion of 'family and kinship' in part of Greece the author suggested that

what one is dealing with is predominantly a series of values, attitudes, and even - to use a word not popular in anthropology - sentiments, rather than a series of social rules or a variety of social structure. And whilst these may exhibit regularities ... they are nevertheless by their nature uncertain, labile and from context to context, contradictory.¹

The mention of sentiments inevitably refers the reader to *Structure and Sentiment*, an extended essay on methodology which dealt in particular with the Purum. The Purum are perhaps rather different:

what one is really dealing with in such a society as this is a classification, a system of categories, which orders both social life and the cosmos.²

It was not, then, suggested that all societies, or even most, have such a comprehensive and definitive system. Plainly many societies do not. However, individual sentiment was dismissed as a means of explanation for all societies, and with good reason; not because sentiment is vague or labile but because structure is logically prior to it. This point was demonstrated by examining a particular case but, being a matter of logic rather than experience, cannot really be rebutted.

What I think Just draws attention to is an idea which has gained currency in recent years; that the use of any analytic means which are not translations of indigenous terms is somehow 'not faithful' to the facts.³ In those societies which do not elaborate definitive systems of categories an analysis constrained by this idea leaves an enormous residue of matters unexplained. This does not mean that structure cannot be found in those societies but that one must look beyond indigenous linguistic usage and, indeed, it is only by doing so that one can make sense of the local terms themselves.

The tribes of northern Yemen are sedentary but their emphasis on such matters as honour and blood-debts is broadly comparable to that of the nomadic Arab societies which are better known from the literature. As far as is known, they have always been the armed strength of the country but they elevate descendants of the Prophet to arbitrate among them (something which others do as well) and they have repeatedly elevated some of these to rule them as Imams.⁴ A few Imams have ruled the tribes with a firm hand. The last episode of this kind was in the present century when the tribes who before 1911 had stood off tens of thousands of Turkish soldiers and after 1962 were to inflict appalling losses on Egyptian armies were in the intervening period apparently powerless to resist Imams Yahya and Ahmad in turn. The rhetoric of the Imams is in terms of a unitary state organised by the single law of Islam and in these terms the provisionality of tribalism is difficult to conceive. The rhetoric of the tribes is of an honourable independence organised by fragmented customary law which is administered largely by the disputing parties. Yet it is the tribes who have repeatedly raised Imams to power.

At a more mundane level, analysis of 'social structure' (in something like Radcliffe-Brown's sense of the phrase) is unsatisfactory, not least because tribes are not constant solidary groups. Again, most tribal sections have a shaykh and some tribes have a 'shaykh of shaykhs' but what 'rules' may be elicited or deduced about their position are broken as often as not. The tribesmen are not tied to their shaykhs, by land tenure for example,⁵ and if two men from the same section are at odds, they can, if they wish, go to the shaykh of another section to have the matter settled. Nor is there any pressing local theory of authority and the tribesmen themselves often say, 'there's a shaykh in every house'. In fact it transpires that Arab tribesmen subscribe to very much the same myth about Arab tribesmen as we do - 'the nation is free because each of her sons disdains a base submission to the will of a master' - but

their claims to personal independence are complemented by what can properly be called a fascination with strong leaders. At first glance much of what they say on these subjects seems contradictory.

Social life, especially that aspect which we roughly call political, is often disorderly and events are often not fully accounted for even after they occur. The terms in which public life is transacted are, however, fairly constant. The most salient of these terms are those to do with honour: *sharaf*, *card*, *naqā'* and many others. To understand these one must go beyond a simple gloss or brief translation:

The tribesman regards himself as the possessor of a quality called *sharaf* or honour, but the most important constituent of this honour seems to be the tradition of bearing arms and being capable of defending oneself and one's dependants.⁶

The ability to defend one's own is marked by the dagger which every tribesman wears upright at the centre of his belt and by the rifles which most of them carry in public. 'Weak' people (a category which includes butchers, barbers and certain others) are not themselves tribesmen but live under tribal protection. They wear their daggers to the left and do not carry rifles. Jews too live under tribal protection but do not carry weapons at all. Descendants of the Prophet or *sayyids* wear their daggers to the right and may carry rifles if they wish but, being under the protection of the tribes, they seldom do so.⁷ The tribesman's *sharaf* depends on his belonging to a tribe (which gives him 'authenticity' of lineage) and in many contexts the word could properly be translated as nobility. It is in terms of *sharaf*, an eminently public quality, that men are opposed to men and tribes to tribes.

By comparison with the 'weak' people the tribesmen do form a sort of aristocracy but apart from this the indigenous terms by themselves tell us little. *Sharaf* explains nearly everything and so explains almost nothing. When a man is doing well his *sharaf* is intact, if not augmented, and when he is doing badly his *sharaf* is in danger of being 'broken', but the term cannot be defined by situating it among other terms in a 'moral taxonomy'. As it stands it suggests only that all tribesmen should be opposed to all others which is partly true but insufficient.

The 'weak' people are called *jayrān* (properly *jīrāu*, pl. of *jār*, 'neighbours') but this same word is used of 'strong' tribesmen who take refuge with others or who are fellow members of a tribe or section. On most counts, it should be noticed, 'weak' people and 'strong' people are reckoned utterly different. Whichever is referred to as 'neighbour', the saying goes that *al-jār fī wajh mujawwir-hu* which might be translated as 'the protected person is on the honour of his protector'. *Fī wajh* might be translated literally as 'in the face of' and the 'face' (*wajh*, pl. *wajih* or *wujūh*) is the common way of referring to an

individual man's honour and good standing. It is whitened by courage, generosity or noble deeds and blackened by cowardice, miserliness or disgrace. A truce may be concluded *fi l-wajh* and, more generally, if a tribesman wants to promise something emphatically he will say 'my face' and draw a finger down his cheek, but in many circumstances the phrase requires two translations if the sense is to be conveyed in English: 'on my honour' and 'under my protection'.⁸ The tribesman states his honour precisely by protecting something or someone from other tribesmen. What blackens a man's face 'breaks' his *sharaf*.

The couple *jār/mujawwir* may refer to a 'weak' person and his tribal protector or to a tribesman seeking refuge with another but it may also be taken to comprehend various other couples such as *ḡayf/muḡayyif* 'guest and host' or *rafiq/muraffiq* 'traveler and escort'.⁹ The importance of the relation these denote is shown by the provisions made in tribal law for its breach. In the simplest case a tribesman who kills another is liable to pay only the standard blood-money, which most of the time I was in Yemen was fixed at about £6,000 - but a man who killed his protégé, his guest or his travelling companion would be liable to pay four or even eleven times this sum, depending on how heinous were the circumstances. Indeed cash compensation may not be accepted at all. It is often said that the murderer's own people would kill him to wipe out the disgrace he brought on them, but if this happens it is rare. Most often the victim's people will press for revenge and then agree to heavy compensation. For a lesser offence by a protector against a protégé multiple amends are also required; so many times the wound-money or the cost of the damage done. Even if the protégé suffers no actual harm or loss, the protector who offends against him owes him amends and in a simple case a sheep or a goat would be sufficient. In general, an offence against a person who is 'one one's honour' is *ʿayb* ('disgrace' or 'shame') and a serious offence, especially murder, is *ʿayb aswad* or 'black shame'.

If someone else offends against his protégé the protector is honour-bound to extract the protégé's amends from the offender and he is also entitled to amends himself for the insult he has suffered. The extreme case is murder. Rossi mentions an example from the diary of Hayyim Habshush, in which a Jew was killed and the murderer's people were required to pay four times the usual blood-money, half of which was to go to the dead man's kin and half to the tribesmen under whose protection he had lived.¹⁰ Multiple compensation of this kind is the rule in cases involving not only Jews but 'weak' people, *sayyids*, guests, travellers and many others who are for the moment 'on someone's honour'. For lesser offences a multiple of the wound-money or of the damages would be demanded and divided. Even if the protégé suffers no actual harm or loss the protector is owed amends and in a simple case a sheep or goat would be sufficient.

This is only one example of the partial symmetry (between offences committed by oneself and offences committed against oneself) which allows us to speak of *sharaf* and its associations as honour. If the protector cannot extract amends for his protégé

from the culprit then he must himself pay or else he slights the protégé and his people. If, on the other hand, the protégé and his people take matters into their own hands then they slight the protector. If two men argue and then fight in someone else's house then even if they do no damage to themselves or to the furnishings they owe the householder amends. These amends are known as *hajar al-bayt*. If, on the other hand, the householder offends against one of them then he owes amends to the one offended. In either case the reason is that they are *fī wajh-hu*, 'on his honour'.

A structure emerges from these various instances which organises what are otherwise fragmented and particular 'rules' about whose honour is at stake on which occasion. One could, of course, concoct another set of rules to specify when the first rules are applied but this would be cumbersome and would provide no intuitive understanding of the facts. One can say instead that, although there is no one Arabic word which would denote it, every tribesman has a 'peace' resembling the old English *mund*. The breach of that peace requires amends, like the *mundbryce*, apart from or, more properly, before the damage done requires specific compensation.¹¹

Such peaces are the basis of particular men's honour. However, there are also peaces which involve particular men but which are not themselves the peace of any one man or the basis of any one man's honour. There is an asymmetrical relation between escort and traveller but there is also a symmetrical relation between men who are all travelling companions to one another. The famous bond of 'the bread and the salt' is also often symmetrical, so that of a group of men who eat together none can offend against another for a specified period without it being *ayb*. There is an asymmetrical relation between 'strong' tribesmen and 'weak' people under their protection called *jayrān*. But *jayrān* is also used of fellow tribesmen in a group who have symmetrical and mutual claims on one another. Such cases are more difficult to deal with in that the public use of indigenous terms stresses opposition and leaves the possibility of combination under-stressed.

In a wide range of societies (Mediterranean and Middle Eastern alike) the public existence of men or groups seems, as it were, to throw a shadow; a private space which each preserves against the others. The men of a Yemeni village or tribal section are 'brothers', which is to say that they all partake in the *sharaf* of the group's eponymous 'ancestor', and it is in these terms that they are opposed to other groups. The men within a section are also 'neighbours' (*jayrān*) who are joined together in that they have a common *arḍ*. This latter word is found in many Arab ethnographies applied to the particular 'sexual honour' which depends on the chastity of a man's womenfolk, but the 'control of women' is only an instance of something more general¹² In Yemen, where the men are mainly farmers, there is a characteristic area of linguistic uncertainty which associates this 'honour' with the rule of 'neighbour-right' (*juwārah*).

A private landowner who wishes to sell one of his fields is constrained by *juwārah* to offer it first to members of his settlement group and secondly to his fellow tribesmen (*ya^Cruḍ^C ala l-mujāwirīn*).¹³

The verb 'to offer' is from the same radicals as the word meaning 'honour' and *ard* is thus a homonym meaning 'honour' and 'offer'.¹⁴ *Ahl al-ard* are the people whose honour is one's own in a particular circumstance but they are usually precisely the people to whom one offers first refusal on one's land, and both derivations are produced in explanation. But quite apart from particular linguistic clues one can reasonably say that men are united in a section by their land as they are united in a family by their mothers and sisters. I doubt that *ard* can neatly be defined but it is to do with 'togetherness'.

Wherever there is *sharaf*, honour as it is bruited about against others, there is *ard* on which it rests and which it includes. In opposition to others what is one's own is vulnerable, and again there are linguistic parallels which suggest the generality of this fact. For example, the most common word for a woman, particularly for someone's wife, is *hurmah* (a cognate of words meaning roughly 'sacrosanct') but it is also said that one of the salient obligations on a tribesman is to defend *hurmat al-watan*, which Rossi translates exactly as 'inviolability of territory'.¹⁵ Again, as the importance of women is their chastity so the importance of land is as territory, not to the exclusion of all other considerations but as a man is opposed to others in terms of honour. Public life is organised by such opposition and the way in which words are used can easily suggest that the only reality is in aggression and defence; but in fact the matter is more complex, just as it is with the individual's obligations. A tribe or section has a peace. If, let us say, a man from A is killed in tribe B's territory by a man from C, then it is for B to take revenge or extract amends from the culprits, and these amends would be divided between the victim's kin in A and the men of B in whose territory the murder happened. If B failed to extract amends, they would have to pay A from their own pockets. If A took the matter into their own hands, they would slight B. All of this is comprised in defending one's territory and one's borders, not only standing up to outsiders who may threaten invasion. Nor is a tribe's peace limited to the space within its boundaries - but any offence against a Jew, a 'weak' person, a *sayyid* or anyone else who is protected by the tribe implicates the tribe itself wherever that person may be when he comes to grief.

This implication may or may not be accepted. It is important to realise that if a man from tribe A shoots a man from tribe B, this does not necessarily mean that the whole of A and the whole of B become involved against each other. Between what the analyst may see as the structural implications of an event and the political groupings, if any, which in fact ensue there is a

whole language of giving rifles and livestock, especially bulls, accepting them or rejecting them, raising and lowering various flags and drumming up support. The segmentary proverb, 'myself and my brother against my cousin, myself and my cousin against the stranger', is misleading in that one may join the stranger against one's cousin or be abandoned by one's brother when the stranger attacks.¹⁶ A tribe or section is not a solidary group. The tribe has *sharaf* (that of its eponymous ancestor) but each section has its own and each man also has his own; the general fact of opposition may lead to conflict anywhere and the peace of the tribe is vulnerable not only to external aggression but also to internal disorder. Moreover, although a tribe has *sharaf*, it has no *wajh*; one might say, roughly, that it has no legal personality.

A tribe's commitments are made by the *wajih* of specific individuals, usually a number of shaykhs.¹⁷ The weekly markets held throughout the northern areas of Yemen will serve as an example. A tribe or group of tribes is responsible for preserving the market peace on market-day and this usually extends to the roads on which people travel to the place. A breach of the market-peace requires amends which are called *hajar al-sūq*, as the amends for breaking a house-peace are called *hajar al-bayt*. For minor infringements this is usually a particular fixed fine but the accepted penalty for major offences is everywhere *bi-l-muhaddash*; eleven times the blood-money or eleven times the damages with perhaps eleven bulls as well. Half of this would normally be paid to the victim or his people and half to the shaykhs who have signed the document establishing a particular peace. These shaykhs are called the 'guarantors of the market' (*ḍumanā' al-sūq*). It is they who extract amends for anyone who suffers a loss there, and if the victim takes the matter into his own hands, he in turn offends them. The market is *fi-wajih hum*.

The market itself on market-day is said to be *hijrah*. The same word is applied to a few *qādi* ('judge') families who are elevated by particular tribes or sections, and to the *sayyids* (descendants of the Prophet) who are all *hijrah* from all the tribes but are nevertheless each, according to his family, under the specific protection of a particular tribe or group of tribes. An offence against *hijrah* people is dealt with in very much the same way as an offence against *hijrah* places.

The shaykhs who sign the document which commits the tribe to the protection of a place, event or family, guarantee a specific peace by assimilating their personal peaces to it. Whether the tribesmen will rally to their support if the shaykhs are offended by an outsider is always problematic and whether they will support them against an offence by a member of the group is more problematic still. As we have said, there is no assumption of authority or of the right to coerce. What the shaykhs may do in guaranteeing a market peace (against disturbances from inside or outside the tribe concerned) they do in settling a dispute, and one sometimes hears them referred to in the latter role as

'shaykhs of guaranty'.

The *shaykh al-damān* pays for what has perished, i.e. blood-money, damages of all sorts, etc. He then goes to the shaykh of the guilty man and recovers the blood-money, or damages if it be some different type of offence, from the shaykh of the murderer's group.¹⁸

He guarantees the loss his men have suffered. In doing so he also guarantees their good behaviour since by his intervention they are taken 'on his honour' and an offence by them, against them or by one of them against another is an affront to him, for which he is entitled to amend. He will often take a rifle from those 'on whose behalf' (*Can-hum*) he acts which signifies this relation. The shaykh of the offender's group will take a rifle from those involved on his side. Both shaykhs are then guarantors of their group for the other, for their group to the other and also 'guarantors of the proceedings' together (*dumanā' al-mawqif*). They assimilate their personal peaces to the peace established to compose the problem.

That there is such a peace is shown by the results of its being broken by any of those involved, but there is no one term or phrase to denote it. Neither is it attendant on any one *sharaf*. If it were, then two sections or two tribes could only resolve their differences in so far as both belonged to a tribe of higher order, as the simpler readings of segmentary theory would suggest, but this is conspicuously not the case in practice. The structure attendant on tribal classification does not specify or determine all the instances of dispute and settlement which arise. The same point needs to be made of tribal meetings where a breach of the meeting-peace requires multiple compensation (as with a market-peace) and all the shaykhs who attend are, *de facto*, guarantors of the meeting. There is no one word for the meeting-peace but to assume that such a thing exists makes sense of what happens at meetings, and meetings may be convened within or between any combination of groups. They are not confined to A_1 and A_2 meeting as A .

Whether the particular case involves markets, settlements of dispute or meetings, the shaykhs involved guarantee the event and guarantee their men at the same time. The difference between the inside and the outside of a group, which in terms of honour, particularly *sharaf*, appears to dominate everything which happens, in fact turns out to be of secondary importance from another point of view. What a shaykh does in composing a dispute within his section is very much what he does when representing his section in a dispute with another. He takes a rifle from each of the disputing parties and for as long as he retains the weapons those involved are 'on his honour' (*fi wajih-hu*). If one of them then offends against the other, he offends the shaykh and owes amends; if one owes compensation to the other it is for the shaykh to extract it; and if the party who is owed

takes matters into his own hands he too offends the shaykh. The parallel between a shaykh's position and that of a householder, host, escort and so forth need not be laboured.¹⁹ If someone breaks the peace he may be said to 'shame the shaykh' or 'shame the proceedings' (*yu'ayyib al-shaykh, yu'ayyib al-mawqif*).

The individual's peace on which his honour depends must be preserved against internal and external disruption alike. The same is true of a tribe's peace or the peace which belongs to no one in particular but arises in resolving a dispute, convening a meeting and so forth. A section shaykh who is successful continually assimilates his own peace to the section peace and guarantees it 'on his honour' - whether against infractions by members of the section or against outsiders, whether within the given bounds of land and dependants or in taking on additional, and honourable, commitments to the defence of markets, 'weak' people, travellers and others. The tribesmen's wish, repeatedly stated, for strong shaykhs makes sense in these terms, terms which are familiar from early English history:

From Aelfred to Aethelred English statesmen were obsessed by this problem, internal peace against theft and disorder, and external peace against the Danes, and the legal history of the period is largely that of an intense effort to bring about a common peace in a nation where every minister and church, every local assembly, every great landowner and official had his several peace, but where there was no peace of the realm.²⁰

Mutatis mutandis it is this effort which is played out repeatedly in every village section and tribe throughout the north of Yemen, and probably always has been. The apparently contradictory wishes for personal freedom and for a strong shaykh are partially resolved when it is realised that the shaykh is wished for less as a ruler than as a *mundbora*; the man whose greater personal peace ensures all the others.

This is no more than the implication drawn from the way the terms are used and things are done. None of the terms, however, can usefully be thought of as a 'concept' or a 'category'. A particular problem of analysis is that the use of words is in itself a public practice and public life is transacted in the terms of honour (in this case *sharaf*) which by their very nature stress the fact of opposition and leave the other possibilities, as it were, in shadow. To stop short of the importance of *sharaf* would leave one with the implication that life was a 'war of everyone against everyone' or, at best, that order was precariously maintained by a wary formality and equivalence. In fact, as Herzfeld puts it, 'the so-called egalitarianism of Mediterranean societies' (which applies also to Arab societies) is 'a nominal equality of access to moral resources'.²¹ Behind this appearance lies the possibility of unequal combination whereby one man enters another's peace, or men together have a

peace which is guaranteed by someone else. There is no indigenous theory of a 'social contract' by which the individual is assumed to surrender a portion of his freedom in exchange for order²² but instead the theory that the several peaces may all be preserved in a greater one. The 'concept' of honour (specifically *sharaf*) may imply that the outside of a group or of an individual's space is utterly different from the inside but the deeper implication which emerges from considering the ways the 'concept' is applied is surely that the two are very much the same.

At the level of 'concepts' and of rhetoric the tribes and the Imams who often ruled them seem incompatible. In the histories, written by religious men of learning, the tribes hardly appear other than as 'warriors in the cause of God' or virtually as infidels - depending on whether at the moment they are with the Imam or against him. Yet it was the tribes which sustained the Imams and which in allegiance would send them hostages, only to find themselves constrained by the Imam in power and their custom often condemned as contrary to Islamic law. The tribesmen seem repeatedly to sell their birthright for very little. The analysis sketched above suggests not a formal resolution of contradictory statements from one rhetoric or another but an approach to understanding the compulsion which repeatedly drove the tribes to such episodes of order. The appeal of the Imamic summons was presumably not that of an autocratic ruler whose honour was augmented by reducing that of others. Presumably it was that of a guarantor who undertook to preserve the several peaces of his followers in the single peace of Islam; internally against disorder, externally against the enemies of religion.

I do not suggest that this analysis is the only one possible, but what is necessary is that something be added to explain the terms and facts as they are given in the ethnography. In the present case the almost dead associations of the English word 'peace' are appropriate because the Yemeni material involves armed men maintaining order against others. In another case another word would have to be scavenged or, especially for purposes of comparing one case with another, an apparatus of italics and quotation marks may be needed. In other cases still a formal notation of opposition and equivalence may be needed. Whatever means are used, the structure revealed provides not only a formal description but an understanding of the compulsions, or even sentiments, which inhere in part of the society.

In many societies the people's own understanding of themselves or the terms in which they live do not form an exhaustive classification. This does not mean that structure cannot be found there. An example from the Greek material drew the comment that

What remains basic is the question of respect.
And further, while there may be a definable
'concept' of respect, it is not the concept,
but the sentiment, which informs behaviour.²³

It may well be that the local term is not used as a concept

and the author is no doubt right to say that, from a certain point of view, it does not inform behaviour. But certainly sentiment does not and never could do.²⁴ What informs behaviour is what anthropology is in the habit of calling 'structure', and the point is well taken that the structure in a case like this may not inhere in a single local usage or in any simple relation between local terms. How one apprehends it depends, of course, on the particular ethnography, whether one uses the English word 'respect' to start with (suitably italicised perhaps) or starts with terms scavenged from elsewhere, or uses some formal notation.

The fact that something always needs to be added needs to be stressed. However, it is nothing new. The Nuer have *buth* and genealogies but what informs their tribal politics is balanced opposition. The Dinka, we are told, experience divinity but a passing mention of *passiones* helps explain the way in which they do so. The Purum have *pu* and *tu*, which properly can be called 'categories' (if not concepts), in a way that many indigenous terms cannot, but it is the analyst's contribution that reveals them as one asymmetric dyad among many.

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Notes

- 1 R. Just, 'Fathers and Fathers-in-Law', *JASO*, Vol. XI, no. 3 (1980), p. 185.
- 2 R. Needham, *Structure and Sentiment*, Chicago: University of Chicago Press 1962, p. 96.
- 3 Linguistic usage is, of course, the essential starting-point. Herzfeld argues cogently that 'inefficient English-language glosses' have obscured much in Greek ethnography and he shows how the 'concepts' of various words in fact vary in their relation to one another from case to case within Greece (M. Herzfeld, 'Honour and Shame: Problems in the Comparative Analysis of Moral Systems', *Man*, Vol. XV, no. 2 [1979]).

However, he himself deals in terms of 'moral taxonomy' that unavoidably suggests that many of the contributors to *Honour and Shame*, particularly Pitt-Rivers, were not much aware of what they were doing. Surely neither 'honour' nor 'shame' was ever thought particularly interesting as a (mis)translation, but the important thing was the analytic couple 'honour and shame'.

- 4 The first Imam was invited into Yemen by a number of northern tribes at the end of the ninth century A.D. The last was driven out of the capital in 1962, left Yemen in about 1970 and now lives in England.
- 5 This is true of the major tribes, in the north and east of the country, but not of those in the west and south where a similar vocabulary in fact denotes a very different organisation of society. A few of the northern shaykhs are great landowners but their estates are in these latter areas, not in the tribal territory.
- 6 R. Serjeant, 'South Arabia', in C. Van Nieuwenhuijza (ed.) *Commoners, Climbers and Notables*, Leiden: Brill 1977, p. 227.
- 7 The interested reader is referred to Serjeant's article (*ibid.*) for an account of the different estates of South Arabian society.
- 8 A parallel case where *wajh* apparently means the actual protection offered by a great man is to be found in A. Musil, *Manners and Customs of the Rwala Bedouins*, New York: American Geographical Society 1928, ch. 17.
- 9 Specifications of these terms and many others are to be found in E. Rossi, 'Il Diritto Consuetudinario Delle Tribu Arabe Del Yemen', *Rivista degli Studi Orientali*, Vol. XXIII (1948), where most of the salient features of customary law are discussed in some detail. Many of these couples were repeatedly explained to me by shaykhs and others as instances of *jar/mujawwir*. In passing I would like to acknowledge that the use of 'couple' is due to Tim Jenkins, although if I am abusing it the fault is mine. It means a complementary pair, not an opposition or a dichotomy. As was suggested in footnote 3 above, 'honour and shame' is a couple.
- 10 *Ibid.*, p. 7.
- 11 It is a commonplace that in a society like that of northern Yemen any injury is, to some extent, also an insult. One can, as it were, have *injuria sine damno* but not *damnum sine injuria*. Even the simplest material compensation is accompanied by something akin to formal apology and this often takes the form of an animal slaughtered as *ghalāq* to 'close' the matter.

The use of 'peace' is intended as a means of talking about a structure in Yemeni society and only works, if it works at all, precisely because most of us know so little

- about pre-Norman England. Extended parallels are sometimes drawn between particular ethnographic facts and the ideas of famous writers etc. (quite why I am not sure) but that is emphatically not what I am trying to do here.
- 12 This whole topic has been illuminated in a pair of articles by Meeker which, perhaps because they were published in a journal concerned only with the Middle East, have not come to the attention of anthropologists with different but related interests. They throw particular light on the problem of ^Card, a quality which is genuinely nebulous and difficult to grasp (see M. Meeker, 'Meaning and Society in the Near East: Examples from the Black Sea Turks and the Levantine Arabs', *International Journal of Middle East Studies*, Vol. VII parts 1 and 2 [1976]).
- 13 W. Dostal, 'Sozio-ökonomische Aspekte der Stammesdemokratie in Nordost-Yemen', *Sociologus* (new series), Vol. XXIV, no. 1 (1974), p. 10.
- 14 In classical Arabic 'offer' is ^Card and 'honour' is ^Cird but the tribesmen do not give the words the distinctive vowel-ling which the dictionaries prescribe. Philologists must say on their own grounds what historical relation there may be, if any, between the words and I do not even suggest that the tribesmen think that they are 'one word'. The Yemenis say 'land is honour', *al-ard* ^Card (cf. A. Cohen, *Arab Border Villages in Israel*, Manchester: Manchester University Press 1965, p. 56 note 3). Also note *jar-uk al-qarīb wa-lā akhū-k al-ba-^Cid*, 'your neighbour is close while your brother is distant' (cf. *ibid.*, p. 59 note 3).
- 15 *Op. cit.*, p. 19. The amends for an affront may be referred to as *ghālī hurmat-hu*, 'the price of his honour', but this is, I think, fairly rare. The various uses of *hurmah* probably do not appear to the individual mind as a single 'concept' but the grammatical congruence does point to a genuine similarity.
- Rossi's list of ten principal 'obligations' in customary law contains what at first seem quite unrelated 'rules'. They do not form a taxonomy of any kind but instances of something more general which I am trying to approach here by using the word 'peace'.
- 16 *Anā wa-akhī ^Cala ibn ^Cammī wa-anā wa-ibn ^Cammī ^Cala l-gharīb*. This proverb occurs in various forms all over the Arab world. For some of them see under *anā ^Cadū ibn ^Cammī* in I. Al-Akwa^C, *al-Amthal al-Wamāniyyah*, part 1, Cairo: Dār al Ma^Cārif 1968, p. 239.
- 17 It is interesting to note that in classical Arabic literature great men are often referred to as *wujūh* in such a way that the word could be translated as 'nobles' or 'notables'. The tenth-century Yemeni author, al-Hamdani, uses the word in this way of men who are evidently tribal leaders.

- 18 Serjeant, *op. cit.*, p. 229.
- 19 A shaykh gains honour by offering guaranty rather as a householder does by taking in guests. It is for this reason that *shaykh al-damān* seems often to be used almost as a rank, where one shaykh in effect claims to offer guaranty for a whole tribe or section to the exclusion of the other shaykhs within it. On occasion I heard shaykhs arguing in these terms about the 'shaykh of shaykhs' of Hashid who is also *shaykh al-shaml* (cf. *ibid.*). The shaykh of shaykhs was claiming to be 'guarantor' for the whole tribe and the others were claiming each to guarantee his part of it quite independently.
Shaykh al-damān is more like a rank in the west where 'pecking orders' of some stability are bound up with questions of tax-gathering and land tenure. In the north *shaykh al-shaml* does seem to be a distinctive title in a way that *shaykh al-damān* does not.
- 20 I. Jolliffe, *The Constitutional History of Mediaeval England*, London: Adam & Charles Black 1961, pp. 113-14.
- 21 *Op. cit.*, p. 342.
- 22 It has been pointed out to me that there may be a 'moral contract'. The concern with something akin to 'morality' is certainly always present where there is a concern with ^Card, but what 'contractual' element there may be (in oaths, promises, and so forth) is essentially between individuals, not between the individual and any representation of 'society'.
- 23 Just, *op. cit.*, p. 166.
- 24 I believe certain psychologists say that it does but this does not make it right (nor, to be fair, does it necessarily make it wrong) and presumably what is meant is that sentiment is an efficient cause. It is not a formal cause. What 'informs' things, properly speaking, is surely an idea but for some reason this word now seems to upset people.