

They Will Be as Sisters to Us

Marriage by Permutation in the Middle-East

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THEY WILL BE AS SISTERS TO US

MARRIAGE BY PERMUTATION
IN THE MIDDLE-EAST¹

Édouard Conte

AS THE THOUSAND AND FIRST dawn broke, Shahrāzād implored Shāhriyār to spare her life. She tells him that the three male heirs she has given him would be deprived of a mother if he refuses to have mercy on her. Despite the final hour being upon them, the king weeps and tells his wife that he had resolved to spare her even before the birth of his first heir. After this emotional exchange, the king goes to his younger brother Shāh Zāman and tells him the passionate tale of the thousand and one nights spent with Shahrāzād. He praises the sharp mind and the virtues of his vizier's daughter. Amazed, Shāh Zāman replies:

Fain would I take her younger sister to wife, so we may be two brothers german and two sisters german, and they likewise be sisters to us (Habicht and Fleischer 1843, XII, 4156; Burton 1894, 51).

The Thousand and First Day: Paradoxes of Siblingship

Overjoyed, Shāhriyār returns to Shahrāzād and tells her of his brother's desire. She is delighted, but poses one condition: Shāh Zāman must come and live with them, for she cannot bear to be parted from her sister even for one hour. Brimming with brotherly love, Shāh Zāman replies that he too could never depart from his brother even for one hour. He then hastens to Shahrāzād and tells her that he accepts her condition and that he will happily renounce his kingdom in Samarkand, whereupon Shahrāzād – and not her father and guardian, the vizier, as was the custom – promises her younger sister's hand in marriage. Then, praising Allāh, Shāhriyār summons the kazis and ulemas, who draw up the marriage contracts and join the pairs of siblings in marriage (Habicht and Fleischer 1843, XII, 416-7; Burton 1894, 53-4).

Although this denouement appears only in the “long” versions of *One Thousand and*

1. I am grateful to Laurent Barry for his critique and for highlighting substantial ambiguities in the first draft. I also thank Saskia Walentowitz for her unwavering commitment to precision and accuracy. I thank Stefan Leder at the German Orient-Institute of Beirut for his recommendation that I use the Breslau edition of the *One Thousand and One Nights*, and Marcel Behrens for helping me locate ancient editions. Last but not least, I would like to thank Gérard Chouquer for digitizing the diagrams in this paper. Quotes in foreign languages were translated by the author.

One Nights,² it is of considerable importance because it reverses the initial narrative frame (Bencheikh and Miquel 2005-2006, 5-16), in which the king, betrayed by his wife and deciding that all women are deceitful, goes on a vengeful rampage, raping and killing woman after woman. In the “short” versions, Shāhriyār’s murderous cycle is broken when he rediscovers his humanity and takes Shahrāzād as his wife, and their siblings are dropped from the narrative, resulting in a dual asymmetry. Shāh Zāman is reduced to the role of a little brother who, in order to ease his own disappointment, tells Shāhriyār that he too was betrayed by his wife (Bencheikh and Miquel 2005-2006, 8) and in doing so provokes the murderous wrath of his brother. As for Dunyāzād, she is just a prompter and an observer with access to the proximity of the royal bed, where her older sister tells her stories night after night. In sum, she is an ornament (Bencheikh and Miquel 2005-2006, 16). Yet the long version restores near perfect symmetry between characters and genders. The two brothers’ betrothals are sealed by the loving yet conditional consent of the two sisters, and Shāh Zāman’s love for Dunyāzād, kindled by the transformation of Shāhriyār, itself sparked by Shahrāzād’s narrative prowess, deflates his own murderous desires. Indeed, he too admits to having “spent three years sleeping with a different girl from his kingdom each night and then killing her at dawn” (Habicht and Fleischer 1843, XII, 416). The specter of “gynocide” (Ouyang 2003, 412) is thus removed by validating both the heterosexual couple and the fraternal “homosocial couple” (Malti-Douglas 2004, 41). The governance

of Samarkand, which had long since kept the brothers apart, was entrusted to the vizier, who was named vice-king whereas Shāhriyār “divided the kingdoms between himself and his brother”:

The people rejoiced. Then the two Kings ruled their domains one day each in turn, and they were ever in harmony with each other. Similarly, their wives continued in the love of God Almighty and in giving thanks to Him. (Habicht and Fleischer 1843, XII, 425; Burton 1894, 57)

This denouement resolves the conflict inherent in the primordial yet ambivalent brother-brother relation. In this instance, harmony prevails over rivalry. However, brotherhood only acquires a positive value, with misogynous killers morphing into loving husbands and united brothers thanks to the power the sisterhood exerts from the narrative frame

2. The Arabic Breslau edition by Maximilian Habicht and completed by Heinrich Fleischer (Habicht and Fleischer 1825-1843, XII) is used here. This passage appears neither in the Arabic Bulaq edition (Anonymous, 1835) nor in the Arabic Calcutta II edition by William Macnaghten (1839-1842, IV). The “long” conclusion in the English translation by Richard Burton (1894, XII) is based on the Macnaghten and Habicht versions. The recent translation by Jamel Eddine Bencheikh and André Miquel (2005-2006) is based on the Bulaq and Macnaghten versions. The Breslau edition has been harshly criticized (Macdonald 1909; Irwin 2004, 22-2) as “composite and based as much on several Arabic manuscripts . . . as on analogous collections” (Bencheikh and Miquel 2005-2006, III, 1017). However, in a paper on the “neglected conclusions” of *One Thousand and One Nights*, Heinz Grotzfeld (1985, 78-80) quotes four manuscripts from the 16th and 17th centuries (including that of Kayseri examined by Hellmut Ritter (1949, 287-89) to demonstrate the authenticity of the version used here.

to the final marriages of the two couples. In this instance, these two aspects of siblingship work in conjunction to seal the marriages. Near perfect symmetry is thus established between husbands and wives, with each having parity in their respective couple. Yet this is no less subordinate to the secondary disparity of birth order, which remains a defining trait of both sibling sets. While this solution appears balanced on the surface, we sense its fragility in that it implies powerful and primordial siblingship while being also ambiguous and unstable. This paradigm serves as the starting point for analyzing the relationship between siblingship and marriage through the lens of marriage by permutation.

Marriage by permutation of spouses is often mentioned but rarely analyzed systematically in anthropological research on societies of Southwest Asia – between the Mediterranean rim and Indus Valley, including North Africa and the Sahel – where Islamic personal status law defines legitimate filiation and influences marriage customs in various ways. Researchers have translated the Arabic concepts of *badal* or *tabādul*³ – which are not always named in practice – in a variety of ways. Granqvist called it “marriage by consideration” in reference to “exchanging a wife for a wife” without exchanging anything else (1931-1935, I, 109). The “sister-exchange marriage” (Antoun 1980, 457), its prototype (Tapper 1991, 149) though not its only modality (Conte 2000, 280-8), is subsumed under the generic term “exchange marriage” proposed by Gideon Kresel and Khalīl Abū Rabīʿa (2002). Other scholars employ the terms “bride exchange,” “daughter exchange,” and “sibling exchange” (Jacoby and Mansuri, 2009). Note that this

last term is the only one that is gender-neutral and does not imply that men are the only ones who initiate spousal exchanges. The disadvantage of all these technical terms is that they tend to portray the reciprocity on which these dual marriages are founded as a singular and instantaneous act, that is, synchronously. However, a *badal* agreement only represents one moment or a one-time occurrence in what John Law might call a “precarious process” (2003, 5-6). It plays a role in relations in constant motion and does not involve groups but rather “regroupings” in the sense of Bruno Latour (2006, 41-62), which occur diachronously. Failure to account for these factors is to risk portraying *badal* – a generic vernacular term and a multiform modality of marriage – as an artifact and a pseudo-concept, as occurred with the term “Arab marriage” (designating the paradigmatic marriages between brothers’ children), which, in contrast, corresponds to no emic term.

In addition, to avoid a substantial terminological but primarily theoretical ambiguity, we must distinguish clearly between the terms “sister-exchange marriage” as practiced in Middle-Eastern societies and the nearly homonymous Frazerian term “sister exchange,” which Lévi-Strauss addresses in *Elementary Structures of Kinship* in the chapter on “restricted exchange” in unilineal kinship systems (1967, 160). If we do not, the positive rule of marriage requiring prescriptive marriages between bilateral cross-cousins appears to derive from “marriage by exchange” (of “extreme primitiveness”)

3. Analogous terms include *berdel* (Turkish), *gav ba gav* (Farsi), *makhi* (Pashto), and *watta satta* (Urdu).

(Lévi-Strauss 1967, 161). However, Lévi-Strauss argues against this evolutionist view:

We have seen exchange, considered not in the technical form of the institution called “marriage by exchange” but in its general aspect as a phenomenon of reciprocity, as the *universal form* of marriage. (Lévi-Strauss 1967, 166, author’s italics)

However, this universality does not apply to the kinship systems of Southwest Asia and North Africa, as these are not unilineal, and marriage obeys no positive rule since all cousins are marriageable. Here, we do not see “sister exchange” in the Frazerian or Levi-Straussian sense of the term but permutations of spouses in which the intermarriage of sibling sets is just one of a number of possible forms. The reciprocity of such marriage agreements stems not from parties’ belonging to a classificatory kinship category but from their contractual intent. Although empirically diverse in terms of normative and symbolic arrangements, these systems are structurally analogous due to the constitutive importance of sibling relations, not filiation, as illustrated by Dunyāzād and Sharāzād (Conte 2011; Walentowitz 2011). Generally speaking, these systems encourage marriages between relatives and not close kin (Lévi-Strauss 1983). When relatives are lacking, people try to create more of them through processes ranging from genealogical assimilation to secret adoption but also through the highly polyvalent marriage by permutation, thereby reconfiguring the pool of present and future matrimonial prospects (Conte 2003).

The key concept of proximity (*qarāba* in Arabic) should not be defined in terms of *a priori* categories based on a classificatory

view of kinship but as the fluctuating outcome of a complex dynamic of inclusion-exclusion, the grammar of which is determined primarily by the requirements for statutory parity, which is itself relative. This holds true for both political and matrimonial alliances, which are often interrelated. Regroupings that are (self-)defined in terms of kinship proximity – whether extended relatives (*hamulāt* or *‘aylāt*) or the well-known “tribes” (*qabā’it*) (Conte and Walentowitz 2009) – do not tend to open to outsiders through marriages. Instead, when they can and when they desire to do so, they naturalize outsiders through successive inclusions conceptualized and legitimated by selective reference to genealogical antecedents. Although they do not form exogamous or endogamous groups, they can be described as fluid kinship constructs (Brock 1986, 290; Walentowitz 2011, 112-4), the constitution and transformation of which are based on prioritizing marriages between descendants of siblings⁴ of the same sex (brother-brother) in Arab systems (as well as Turkish, Iranian, and others) and of the opposite sex in the Touareg system analyzed

4. As formulated by Lina Brock: “A process of interaction occurs between: 1) the tendency to marry within the descendance of a sibling set, 2) the tendency toward co-residence of descendants of siblings among whom are numerous overlapping marriage links, and 3) the tendency to identify co-resident descendants of sibling sets, a group with a given (descent construct). As the ‘choices’ of marriage in one or another group intensify, siblings tend to be drawn into that group where marriages are placed; the descendants of such a fragment of a sibling set tend in turn to marry among themselves, and their presence together in a residential group is described in retrospect as a function of their ‘descent’ from those siblings” (1986, 135).

by Brock (1986) and Walentowitz (2011) (see also Fogel 2006, 374). Discounting this minor difference, which is a topic for comparative ethnography, the following hypothesis holds true for the above:

The kinship system is structured by siblingship (brother-brother relation) and creates and recreates itself through the group of marriages within networks of shared cognatic kinship to such an extent that the creation and regeneration of these networks is primarily accomplished through marriages by permutation between two or more sets of siblings, whether related or not. (Walentowitz 2011, 108)

This collective and gendered dynamic refers to the critical and highly polysemic notion of *nasab*. In order to study marriage by permutation in its systemic context, it is important to specify the meanings of this term in everyday terms as well as in legal language before defining it as an analytical concept.⁵ According to the classical lexicographer Ibn Manzūr (n.d.), who died in 1311 CE, *nasab* refers to both the relation of kinship (whether demonstrable or putative) and to kin, consanguinity, ancestry, genealogy, pedigree, lineage, social origin, or professional affiliation. Ibn Manzūr also points out the synonymy of the term with the generic term *qarāba* (literally “proximity”): “They say,” he added, “that *nasab* refers primarily to the lineages of fathers” (Ibn Manzūr, n.d.).

However, in practice, *nasab* also refers to uterine kinship (Lane 1863-1893, *sub verbo*, NSB). In Islamic family law, *nasab* refers to legitimate filiation and is one of the three aspects of kinship (*asbāb al-qarāba*), along with *sihr* (affinity, or matrimonial alliance) and the ties deriving from breastfeeding (*ridāʿa*) (Conte 1994, 146-53).

As a sociological concept, *nasab* refers to the diachronic continuity that structures and validates identities and fluctuating social networks with all the rights, expectations, and duties these entail. It reflects structural and historical processes that *retrospectively* ensure the legitimacy of claims of origin through the transgenerational overlap of siblings via matrimonial permutations as well as recognition of individual and collective affiliations, including paternity and citizenship (Conte and Walentowitz 2009, 218).

In this dynamic, marriage by permutation serves to link together sibling sets regardless of whether or not they consider themselves close in terms of *nasab*. Although the permutation of spouses is frequently studied in Southwest Asia and North Africa, it has rarely been viewed through the lens of the gendered dynamics of kinship. This oversight is surprising given that according to well-known ancient texts, marriages between brothers’ children – the focal point of discussions on “Arab marriage” over the last half century – constitute in logical terms a way around brother-sister or twin-twin marriages that were initially unavoidable. This metaphor of the genesis of kinship from ancient sources strongly suggests that marriage processes derive from siblingship and not filiation. It is this dynamic that constitutes *nasab*, not the other way around. By framing *badal* as a mere Arab-Muslim artifact distinct from or even destructive of the filiation process, modern ethnographers portray it as a subsidiary or even a vulgar occurrence that subverts marriage since it distorts exchange (in the

5. In this respect, Ibn Khaldūn (d. 808/1430) was a forerunner (n.d., 126-9). Also see Conte (2000, 289-90).

Lévi-Straussian sense) via a pretense of reciprocity. To strip *badal* of any structural significance is to deny that marriage by permutation is indispensable for establishing and maintaining kinship proximity – or *qarāba* – without which *nasab* could not form or re-form. That is precisely the idea handed down to us through texts such as *One Thousand and One Nights*. We will now examine some ancient sources.

The *Book of Jubilees*⁶ (or *Sefer haYovelim*) is a pseudepigrapha discovered with the Dead Sea Scrolls and dated to around 160-150 BCE (Charles 1913; Dimant 1994; Stone 1996). According to this “little Genesis,” Eve, “the giver of life,” gave birth to Cain in the third week of the second Jubilee and to Abel in the fourth week. In the fifth week, Eve’s daughter Āwān was born. Thus, the first sibling set in history included two brothers and a sister. However, in the first year of the third Jubilee, Cain became the first murderer and Abel the first man to die. From that point on, the world only contained two parents and a pair of siblings of the opposite sex. Yet, after four weeks of mourning, God blessed Adam and Eve by bringing the seed of Seth into being in the fourth year of the fifth week. He was equal to his dead brother Abel and like him in every way. In the sixth week, Adam and Eve begat a second daughter, Azūrā, and the balance of the sexes was restored.

Then Cain took his sister Āwān as his wife and Adam and Eve had nine more sons. These offspring engendered the first cousins. Seth married his sister Azūrā. Cain and Āwān gave birth to Enoch, and Seth and Azūrā to Enos and Nōām. Enos married his sister Nōām, and she begat Kenan, who married his sister Mūalēlēth, and she begat Mahalalel. However,

after four generations, brother-sister marriages ceased. Mahalalel married Dinah, the daughter of his father’s brother, and Seth’s line was perpetuated via marriages between brother-children until Noah’s generation. That is how the patrilineage of the Antediluvians was constructed (see Figure 1).

Thus the *Book of Jubilees* is explicit about something *Genesis* only hints at,⁷ and it may reflect lost versions of the *Genesis*. The question as to how the line of descent from Adam and Eve was perpetuated is critical. The *Book of Jubilees* claims that brother-sister marriages served this role. From the standpoint of simple logic, this type of union is a necessary prerequisite to marriages between siblings’ children, which, according to the text, followed a strictly patrilineal mode. “Arab marriage” therefore has Hebrew origins.

Genealogical selection was already at work. What happened to the descendants of Cain, the father of murderers? The text only says that Cain was crushed by stones when his house collapsed on him, fair retribution for one who slew his brother by striking him on the head with a stone. God’s revenge is the foundation of the law of “an eye for an eye.” After the death of Cain and the flood that followed, Noah perpetuates a line of righteous descendants with an innocent pedigree. His “sons of God” would thus stand in opposition to the “daughters of Cain.”

The problem raised by this Hebrew apocrypha of the Old Testament – which is indeed the foundation of kinship – is taken up in

6. Period of seven year-weeks, or 49 years.

7. Genesis (5:3) merely states that Adam “begat other sons and daughters.”

analogous fashion but with a different emphasis in the Syriac apocrypha of the New Testament known as the *Cave of Treasures* or *The Book of the Order of Succession of Generations* (Ri 1987, 2000). Although this text is attributed to Ephrem the Syrian of Nisibis, who died in 373 CE, scholars date the versions in existence today to the sixth century or even later. Thus the text predates the Qur'anic commentaries or *Stories of the Prophets* by Muslim writers we will examine later and which also deal with Cain and Abel.

The story of the first thousand years states the following:

So Adam and Eve went down from that holy mountain [of Eden] to the slopes that were below it, and there Adam knew Eve his wife. And Eve conceived and brought forth Abel and Kelimath, his sister, with him.

And Eve conceived again and brought forth Cain and Lebhudha, his sister, with him.

When the children grew up, Adam said unto Eve: "Let Cain take to wife Kelimath, who was brought forth with Abel, and let Abel take to wife Lebhudha who was brought forth with Cain.

And Cain said unto Eve his mother: "I will take to wife my twin sister Lebhudha, and let Abel take to wife his twin sister Kelimath," as Lebhudha was admirably beautiful and of desirable appearance.

When Adam heard these words, which were exceedingly displeasing unto him, he said: "It will be a transgression of the commandment for thee to take to wife thy sister, who was born with thee. Nevertheless, take ye to yourselves fruits of trees, and the young of sheep, and get ye up to the top of this holy mountain. Then go ye into the Cave of Treasures, and offer ye up your offerings, and make

your prayers, and then ye shall consort with your wives."

And it came to pass that when Adam, the first priest, and Cain and Abel, his sons, were going up to the top of the mountain, Satan entered into Cain and persuaded him to kill Abel, his brother, because of Lebhudha and because his offering was not accepted before God, whilst the offering of Abel was accepted.

Cain's jealousy of his brother Abel was increased [literally: "added to"].

And when they came down to the plain, Cain rose up against his brother Abel and killed him with a blow from a flint stone. Then straightway Cain received the penalty of death, and he became a fugitive and a wanderer all the days of his life. And God drove him forth into exile in a certain part of the forest of Hodh, and Cain took to wife his twin sister and made the place of his abode there. (Ri 1987, 19-20)

Sibling love, sibling hate: here, the birth order of the first two brothers is reversed, with Abel, the good son, being the eldest. Satan tempted Cain, as he did his parents, and his sacrifice was rejected due to desire and jealousy. Cain did marry his twin sister but at the price of banishment by God. Thus, although the text emphasizes the shame of engaging in a prohibited relation, it does not condemn the brother-sister marriage through which Seth, Abel's clone, begat "all the giants before the flood" (Ri 1987, 20).

Although this tale also features in the Muslim tradition, the nature and order of intertextual influences are hard to determine. According to the Muslim version, Adam tries to attenuate the high proximity of marriages between twins of opposing sexes by encouraging marriages between siblings of different

twin sets. In his *Tales of the Prophets*, Tha'labi (d. 427AH/1035-1036 CE) wrote that Cain and Abel each had a twin sister named Aqlīmā and Labūdā, respectively. This differs from *The Cave of Treasures* in two respects, namely that the brothers' birth order and the order of their sisters' names are reversed (Tha'labi n.d., 37-38 and 2002, 73-4 *passim*). Adam tried to uphold the probity of everyone through a symmetrical exchange between twin sets, which was the maximum blood distance possible in this context. Tha'labi confirms that after Adam suggested that his sons marry each other's twin sisters, Cain revolted and slew his sibling. The first murder was therefore a fratricide (van Gelder 2005, 123). The perpetrator considered that his status as the first born annulled his obligation to filial devotion and even his duty to obey God.

However, Adam and Eve were convinced that their views were just and with God's help, are said to have persevered. According to Tabari (d. 310 AH/923 CE), Eve bore Adam two children with each pregnancy, one male and one female (1879, 139; 1985, 309). In the course of twenty pregnancies, a total of forty children – 20 male and 20 female – were born (Tha'labi n.d., 37; 2002, 73). According to Muhammad ibn Ishaq (cited by Tha'labi):

When his children were of age, Adam married a boy from one pregnancy to a girl from another pregnancy. In those times, a man could marry any sister he wished except his twin sister who was born with him, for that was prohibited. All this was necessary because in those times no women existed who were not sisters of the men and all had Eve for a mother. (Tha'labi n.d., 37; 2002, 74)

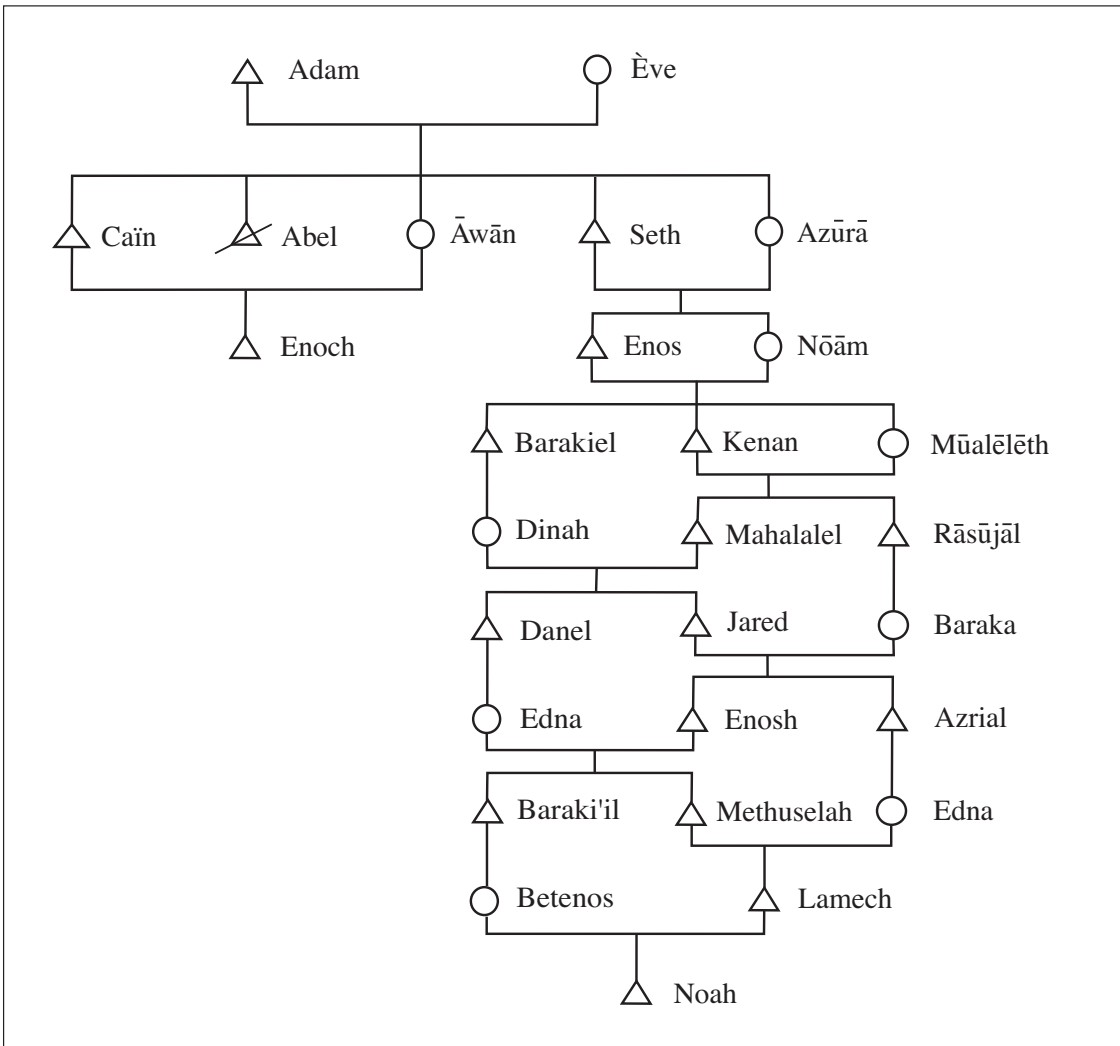
Provisional symmetry was established in this generation as two couples (Cain-Ashūr; Seth-Hazūrah) each begat a pair of siblings (Enoch-^cAdan; Enosh-Na^cmah). Adamic permutation thus became possible again. Initially, Cain's preference prevailed as each kept his sister, and the relative distance that would have resulted from Adam's proposal was rejected. Thus, matrimonial consubstantiality was combined with shared filiation. Symbolically but also strategically, this preference for marrying one's closest kin made it easier to distinguish Cain's descendants from Seth's.

Later, things changed. Tha'labi relied heavily on the *History of Prophets and Kings* by his famous predecessor, Tabari (1879 and 1985). However, Tabari well understood the transition from marriages between twins owing to Cain's revolt to the marriages by permutation of brothers and sisters from different pregnancies, which Adam and Eve imposed. In his *Tafsīr* (Qur'anic commentary), he notes:

It was once forbidden for a woman to marry her twin brother. Another one of her brothers married her. The sons of Adam proceeded thus until four generations had passed. Then, men married daughters of their paternal uncles and ceased marrying their sisters. (Tabari n.d., 233)

If Cain had obeyed his father's order as Abel and Seth did, marriages between twins would not have been prohibited, and the children born of such unions would have been bilateral cross-cousins. Obviously, it would have been difficult to instill a preference for marriages between brothers' children in accordance with the path laid out centuries earlier in the *Book of Jubilees*.

Figure 1: The genealogy of the Antediluvians according to the *Book of Jubilees*



From the perspective of a very long symbolic time period, marriage by permutation of siblings – the *badal* Adam proposed to guarantee his posterity in keeping with the Law – discreetly structured kinship in spite of his sons' initial refusal to be separated from their twin sisters. This form of marriage therefore hardly constitutes a mytheme, a chance accident, a regrettable inconsistency between norm and practice, a reprehensible custom practiced at the bottom of the social ladder, or a masculine abuse of power. In fact, it is the keystone of a complex matrimonial system that cannot be understood in synchronic and unilinear terms and is non-reproducible through marriages between siblings' children alone. As Elisabeth Copet-Rougier points out, this type of marriage cannot be a system by itself because in order to ensure intergenerational renewal, it would have to introduce “at each moment of its reproduction elements not included in the base structure and that do not have the same value: two brothers on one hand, and a brother and a sister on the other” (1994, 456). By contrast, *badal* is indefinitely reproducible from generation to generation and can combine pairs of siblings of the same or opposite sex or non-siblings. In selective liaison with marriages between brothers' children or descendants, it ensures the systemic overlap of marriages between close relatives with marriages to outsiders, or “non-related neighbors” (*al-jirān al-junub*), that is, men and women with different ancestry or from another place (*ajānib* or *ghurabā'*). When practiced between non-relatives, *badal* helps maintain demographic stability or strengthens a declining patrilineage. Practiced between relatives, particularly agnatically, it strengthens *nasab*, which paved the way for the later

“Arab marriage” – which Tabari had already foreseen – in cases where the genealogical distance between potential partners is too large.⁸

By prioritizing siblingship over filiation in exchanges, *badal* accomplishes all of the above. But how can the problem of the non-reproducibility of marriages between brothers' children in an analogous sequence be resolved without accounting for its structural relevance (Conte 2000, 280-8)? Without *badal*, how could the socially rich but always fragile balance be controlled between kinship and social and also filiative and elective proximity and distance in highly variable cultural contexts where names pass from father to child but where the matrimonial choices behind this name transmission are always and definitively determined in reference to the angular relation of siblingship?

Return to Palestine: Ambivalences of *Badal*

Four Arabic terms with significant semantic differences exist for reciprocal marriage: *shighār* or *fishāgh*, and *badal* or *tabādul*. Ibn Manzur defines *shighār*, a term with obscene connotations, as:

A type of marriage practiced in the time of ignorance (*jāhiliyya*) in which a man married a woman (under his authority) so he could marry another without having to provide matrimonial compensation

8. This process is outlined in the diagrams of Peters (1990, 219 and 223). For a more general understanding of how marriage by permutation impacts marriage dynamics by merging transmission and power strategies, see the diagrams of Ferchiou (1992, 146, 150, 152, 154, 162, 163) and Baram (2001, 318).

(*mahr*). It was most commonly practiced between relatives (*al-qarā'ib*) (n.d. *sub verbo*, ShGhR).⁹

Note that *shighār* is also called “marriage of laziness,” or *fishāgh* (Wellhausen 1893, 433, no. 6). Imam Mālik (d. 795 CE) explicitly condemns *shighār*, which he defines as a man “marrying off his daughter to someone who will give him his daughter in return without either party paying *sadāq*” (n.d., 535).¹⁰ In modern Arabic, the word *shighār*, which designates a practice explicitly prohibited by the *sunnah* (or prophetic tradition),¹¹ is rarely used. Instead, people prefer the terms *badal* or *tabādul*, which are neutral and seemly terms that indicate the establishment of a social bond on the basis of affinity, a practice that is – or at least appears to be – compatible with Islamic law, religion, and customs. The verb *badala* means “to exchange one for another,” “to substitute,” “to replace,” or “to permute.” For its part, *badal* “is that which is given or received in exchange or which replaces something,” whereas “*tabādul*,” the permutative form, emphasizes, in addition to exchange, the idea of immediate reciprocity (Kazimirski n.d., 1860 I, 97-8). However, this compensation does not correspond to a dynamic of “givers” and “takers” of women in terms of endo- or exogamy but to a transfer of rights within the framework of both predetermined proximity and of filling in a gap in relations.

Ibn Manzur portrays this as an antiquated practice no believer would tolerate, and he underscores the fact that failure to meet the Islamic duty of *mahr* renders the man guilty of fornication, or *zinā*, a broad term referring to all illicit sexual relations. In the case of *shighār*,

one woman serves as *mahr* for another, even in cases where in order to comply with *sharī'a*, this provision is recorded in marriage contracts without ever being enforced (Antoun 1980, 457). On “marriage by compensation,” legal experts Louis Millot and François-Paul Blanc said the following:

Each party does stipulate a fixed and significant dowry. However, since both parties are equally indebted to one another, the two debts cancel each other out and no exchange takes place. Yet, the dowry belongs to the woman as she is the one who is endowed. In this instance, neither of the women receives it in reality. Only the father and husband benefit from this arrangement. (Millot and Blanc 1987, 293-4)

Under the law, *nikāh al-shāghir*, which we defined above, is illegal (*fāsid*), since it is detrimental to wives’ interests (Qur’an, 4, 19-21). However, no prohibition exists against other *badal* modalities, because this practice complies with *walāya* (the guardianship men have over their unmarried female relatives) as well as families’ desire to find spouses for their single relatives, male and female. In addition to the legal ambivalence of non-payment of *mahr*, *badal* extends or strengthens different modalities of marriage between cousins while creating units of affinity on the fringes of kinship and social proximity (*qarāba*). In principle, this practice is

9. See also Kazimirski n.d. (1860) I, 1243-4.

10. Matrimonial compensation given directly to the wife, here meaning *mahr*.

11. Al-Bukhārī (d. 256 AH/870 CE), *sahih*, kitāb al-nikāh, bāb al-shighār, III, 245.

used by men of comparable or homologous status, thereby ensuring the parity (*kafā'a*) of husbands. However, many forms of asymmetry or hierarchy do exist, particularly in terms of age, wealth, or status.

In fact, Élisabeth Copet-Rougier's interpretation of marriage between brothers' children does more than simply point out shortcomings of filiation and marriage theories about *badal*, and it opens the door to another approach:

The classical formula of marriage with the daughter of the father's brother . . . is logically incapable of making a marriage model function mechanically. It alone cannot structure the matrimonial alliance because its very definition contains the seeds of contradictions and impossibilities (Copet-Rougier 1994, 455)

By noting "what would occur if the entire Arabic matrimonial system was based on this matrimonial 'preference,'" she demonstrates that unlike restricted or generalized exchange, the structure would be unable to reproduce itself identically because "a new element, a masculine sibling, would have to be added with each new generation" (Copet-Rougier 1994, 455) (See Figure 2).

The children born of marriages between patrilineal parallel cousins are direct cross cousins. However, extending via *badal* the primary core of the marriage structure – "the socially valued brother-brother pair" – to include any man-man pair smoothes out the contradiction between "logics, which ultimately present the exact opposite of the characteristics by which marriage (between siblings' children) is defined" (Copet-Rougier 1994, 457). This hypothesis is commendable insofar as it emphasizes siblingship, but does it account for the diversity of empirical situations? To

answer this question, we will first look at a comprehensive ethnographic study of matrimonial practices in the Palestinian village of Artas by the Finnish-Swedish anthropologist Hilma Granqvist (1931-1935, I and II). In spite of having been published many years ago, the theoretical perspective this study offers remains highly relevant. Then, we will extend the comparative analysis beyond the framework of Arab societies of the Mashriq.

First, we will review the six typical cases Granqvist identified and then examine their impacts on kinship dynamics.

- Case 1: *khud ukhti u actini ukhtak!* ("Take my sister and give me yours!")¹² Children born of marriages resulting from permutation of sisters by two unrelated men are bilateral cross-cousins (FZD/FZS; MBD/MBS). The same applies to children born of marriages between their offspring. This type of marriage, which is the most frequent type in Artas, is reproducible from generation to generation without adding new elements. While it does not correspond to the ideal agnatic marriage between a man and a woman whose kinship relation includes no female link, it is subject to no legal prohibition deriving from a community of descendants, or *nasab*, affinity (*musāhara*), or – except for a different choice by the parents in question – nursing (*ridā'a*). It is therefore fully compatible with Muslim personal status law (Figure 3).

- Case 2: Granqvist points out that in Artas and in compliance with the prohibition of *shighār* already mentioned,

12. Expression used by Hamdiye, a woman interviewed by Granqvist (1931-1935 I; 111); transliteration by the author.

Never have two fathers exchanged their daughters. Instead, a father gives his daughter to a man who, in return, gives him his sister as a wife. If the father's first wife is still alive, it is said that "she got a co-wife from her own umbilical cord (*furritha min surritha*)." This is considered one of the tragic aspects of the female condition as she can be forced to sell her daughter only to obtain a rival that only benefits her husband. "It tastes bitterer than bile." (Granqvist 1931-1935, I, 112)

When without going to this extreme, a man gives his daughter to a non-relative and marries that person's sister, the children of the two couples (G-1) are in asymmetrical genealogical roles as they can be either aunts or uncles, nieces or nephews, bilateral cross-cousins, or children of agnatic half-sisters. In theory, some may marry while others cannot. Here, asymmetry precludes all possibilities for matrimonial reciprocity. Once the generational gap is erased, the children of the next generation (G-2) are only bilateral cross-cousins. Globally speaking, this legally ambiguous practice tends to narrow the scope of marriages. However, in Artas, this practice was observed in only 8 out of 70 *badal* marriages (Granqvist 1931-1935, I). This is a striking reminder of the preeminence of men who have reached a certain age (Figure 4).

- Case 3: *badal* can be more egalitarian by combining several marriages between siblings' children. When one or more brothers marry their sons and daughters to each other, obviously these spouses are patrilineal parallel cousins (G 0). Seen from the generation of the fathers, this is a permutation of daughters, not preferential agnatic marriage. However,

the sons will see it as an exchange of sisters among ortho-cousins, the female cousins as a permutation of brothers, and the mothers as bringing sons closer together. If their children (G 1) marry each other – and this is a highly desired form of marriage – the unions will be between direct bilateral cross-cousins but also between descendants of brothers (FFBSD/FFBSS) (Figure 5).

An analogous *badal* described by Granqvist (1931-1935 I, 113) seems to have been created to illustrate a kinship manual. Here, three brothers each have a boy and a girl; the first brother (S1) marries the sister (Z2) of his younger brother (S2), who, in turn, marries the sister (Z3) of his younger brother (S3) who, to complete the cycle, marries the sister (Z1) of the oldest brother (S1). All partners are parallel patrilineal cousins, and all their children will be bilateral cross-cousins. At first glance, the triangular diagram by Granqvist (1931-1935, I) seems analogous to a "generalized exchange with three clans" (Lévi-Strauss 1967, 344). However, two details are different: the three givers/takers of sisters are born of three siblings, and these consist of individuals and not of unilinear groups or exchanging categories (Figure 6).

- Case 4: Another case of a "complicated exchange" is when a *badal* comprises two brothers and a non-relative from the older generation. The first partner marries the daughter of the brother of his father whereas his sister and the son of his paternal uncle marry the son and the daughter of a man from another clan (*hamūla*), respectively. Two marriages with non-relatives are thus combined with a marriage between the children of brothers, establishing a wide relation of statutory

parity notwithstanding initial inequality. All the children born of these marriages will be cross-cousins (Grandqvist 1931-1935 I, 113-14) (Figure 7).

- Case 5: when a set of brothers does not have enough children or children of the right sex, a permutation can be made with a non-relative and his children. Grandqvist mentions the case of two brothers and a sister where one brother had children to marry off, a boy and a girl (Grandqvist 1931-1935, I, 114). The sister was single. Here, the exchange occurred with a man with two daughters and a son. The sister married the “substitute” whereas her childless brother married the daughter of the outsider, and the two children of her other brother – a boy and a girl – were given to the outsider’s two remaining children. Therefore, two marriages involving partners from the ascendant generation are organized around the permutation of two brother-sister sets but without creating any oblique relation (Figure 8).

When *badal* involves siblings on the one hand and outside partners of different generations on the other, the links created between the children born of these marriages are no longer primarily those of cousinship but of classificatory avuncularity that makes it difficult to contract marriages between relatives of the next generation within the network of marriages constructed in this way.¹³ However, such marriage arrangements enable siblings without partners to join with unrelated individuals and to have offspring in the present. From there, everything is renegotiated at the opportune moment.

- Case 6: In a case largely analogous to the one above, a sibling set composed of three boys and a girl forms an alliance with an

available non-relative with a son (Grandqvist 1931-1935, I, 115). This son marries the sister, thereby opening up three unions in the next generation. Two of these are “classical” and link children of three boys from the sibling set, whereas the second son of the third brother marries the daughter of the new ally. The two other marriages create relatives via alliance without consanguinity but ensure offspring for everyone by exploiting the gaps in the two successive generations (Figure 9).

The unique feature of this configuration is that all the children born of these marriages are likely to be considered second patrilineal or matrilineal ortho-cousins but are still counted as kin.¹⁴ As a result, *badal* can therefore strengthen patrilinearity.

13. This boils down to a series of asymmetrical marriages.

A: FZHD/FWBS

B: FWBD/FZHS

C: DHZ/BWF

D: ZHD/FWB.

The children born of these marriages are related as follows:

A – B: FZD/ MBS, first cross-cousins.

A – C: FFZD/MBSS, classificatory paternal aunt/classificatory maternal nephew.

A – D: FBSD/FFBS, classificatory paternal niece/second patrilineal parallel cousins.

B – C: FSD/FFS, classificatory paternal niece and uncle.

B – D: FBDD/MFBS, classificatory paternal niece/classificatory maternal uncle.

14. In this generation, this creates the following ties:

A – B: FFBS/ FFBS or MFBS/MFBDS

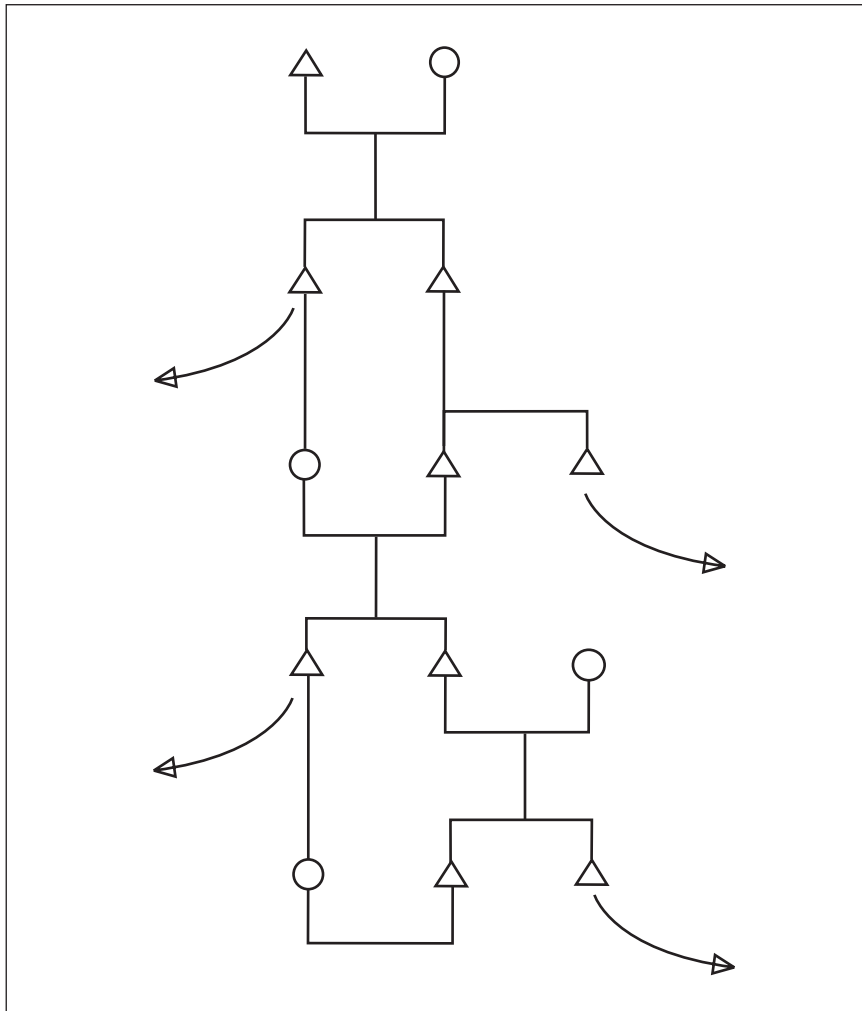
A – C: FF(M)ZD/ MBD(S)S

A – D: FF(M)BSD/ FFBS(D)S

B – C: FF(M)ZD/MBS(D)S

B – D: FF(M)ZD/MBS(D)S.

Figure 2: The Impossible Model



Source: Copet-Rougier (1994, 455).

Figure 3: Permutation of Siblings

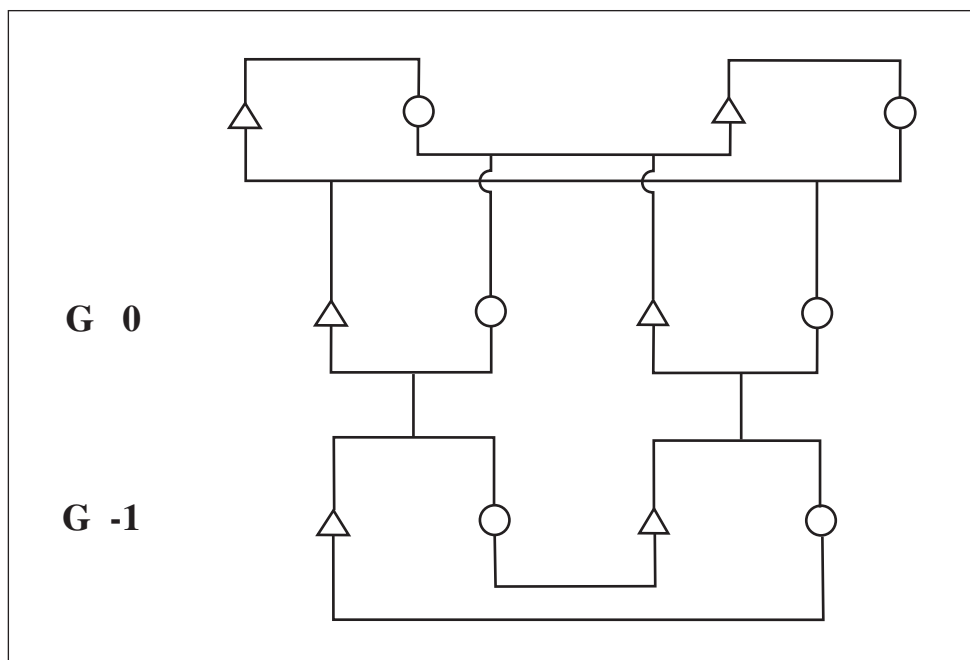


Figure 4: A Daughter for a Sister

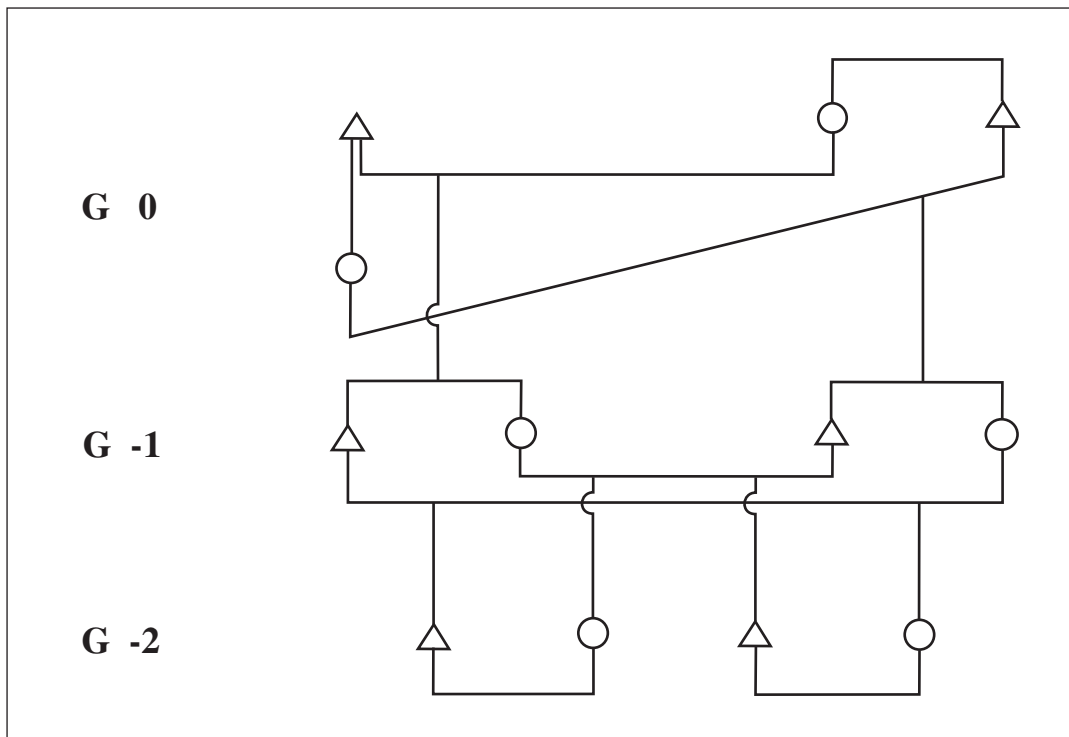


Figure 5: *Badal* through the Generations

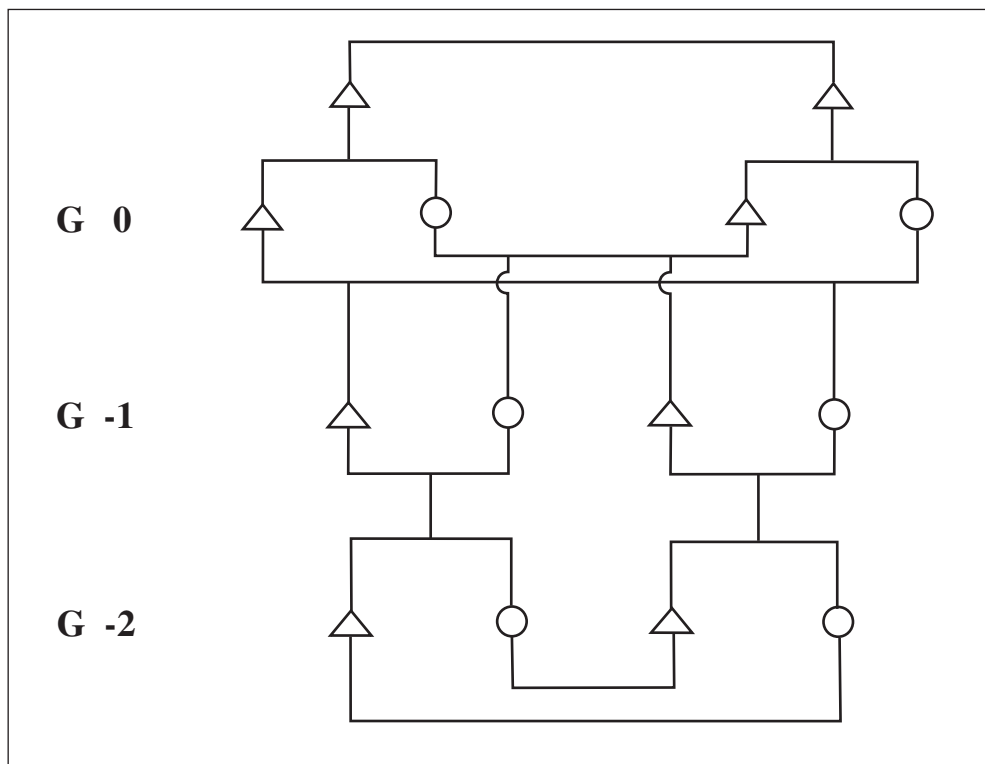


Figure 6

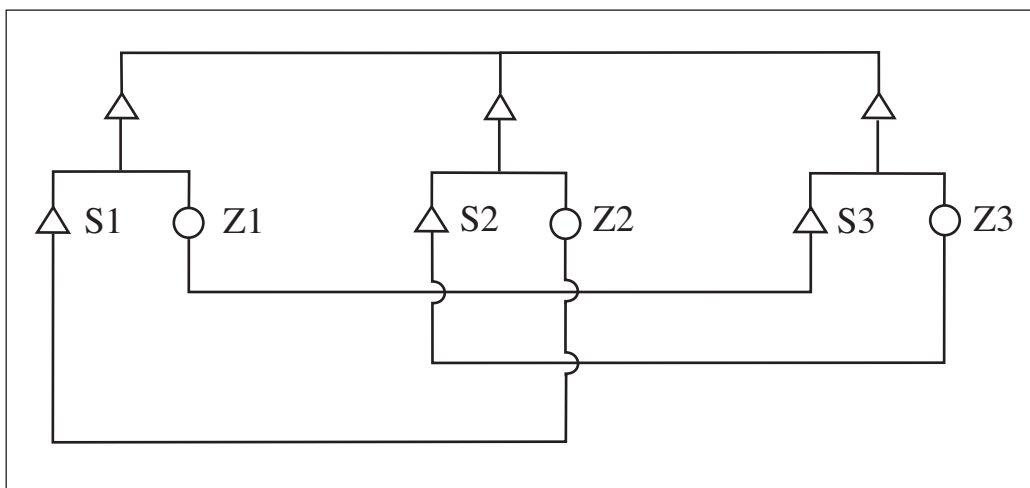


Figure 7

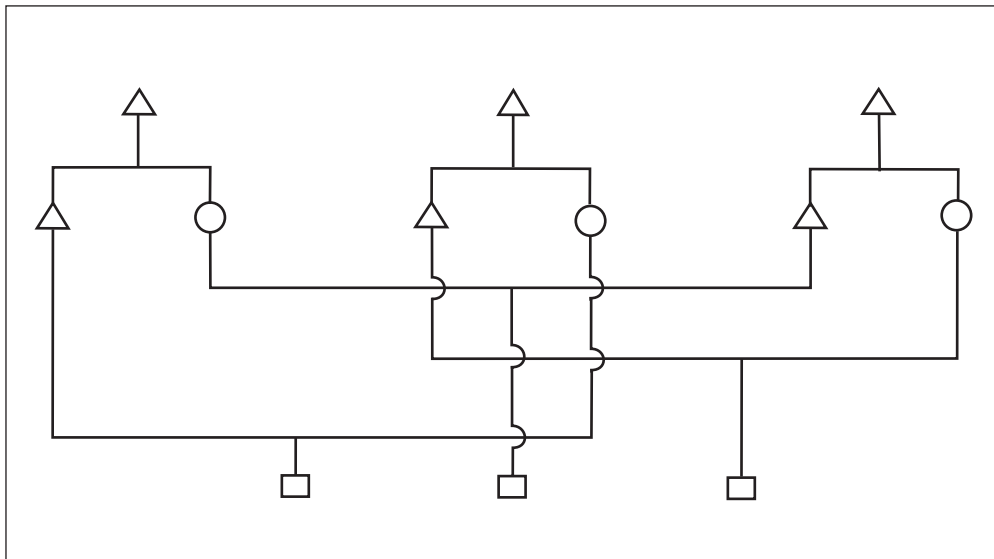
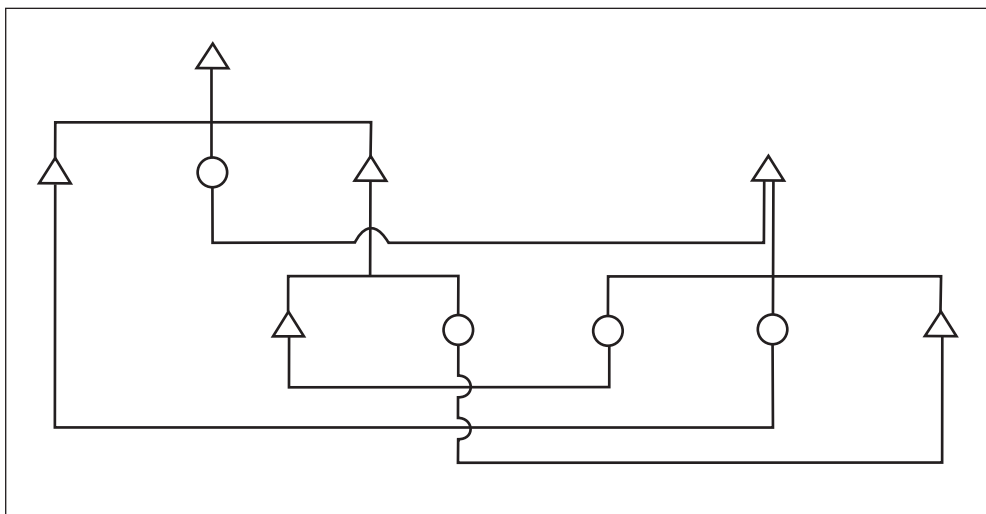


Figure 8



Let us now return to our starting point. Not without a touch of irony, Copet-Rougier (1994) refers to paradigms from the founding monotheistic texts.¹⁵ Her theoretical model helps answer the following heuristic question: What condition must be met for every boy and girl to marry their paternal uncle's children? In other words, how can the so-called "preference" of "Arab marriage" be systematically implemented in practice? Obviously, the purpose of her argument is not to show that this is feasible or desired by the actors. In fact, everyone knows that sibling sets are variable in terms of size, sexes, or age differences, particularly in the case of half-siblings. They are also impacted by divorces and remarriages by fathers who can have highly variable social statuses. Rather, Copet-Rougier's analysis suggests that only the dynamic conjunction of siblingship and marriage authorizes the transgenerational devolution of patronyms. Filiation – and *nasab* in the emic sense of the term – thus appears as an outcome and not a cause. However, in a context that prioritizes statutory equality (*kafā'a*) and isogamy of partners and their relatives, it is important to ensure that each sibling finds a spouse and has children so that the *nasab* shared by the sibling set and its antecessors appears to have been transmitted through generations, potentially ensuring the maintenance and the growth of the agnatic honor (*sharaf*) denoted by patronyms. The children of the sibling set marry as many non-cousins as needed to compensate for the possible disparities mentioned above, and can thus aspire to guaranteeing this transmission. However, this is unmanageable without sometimes resorting to derivative marriage options in respect of *shar'ā* and the principle of reciprocal compensation (*abādul*).

Therefore, rather than referring to immutable origins, *nasab* relates to blending fragile branches that can be retouched with each birth or death, each marriage or divorce, and each disagreement among relatives.

The transgenerational continuity of the *nasab* pedigree is therefore ensured by a diversified set of matrimonial choices intended to compensate for demographic or statutory disparities. No opposition exists between the twin principles of *taraf* (a term close to direct filiation) and *jānib* (the idea of laterality referring to siblingship). Rather, there is compensation for the differences between them through a complex dynamic of inclusion-exclusion in which *badal* in its various forms plays a role. Marriage between relatives and selective matchmaking with outsiders – who are neither relatives nor strangers – are two inseparable aspects of this processual reality. This illustrates the double semantic value of the term *nasab*, which designates the transgenerational continuity of patronyms and affinity (Ferchiou 1992, 140).

The perceptive and methodological error of approaches rooted in descent theory and structuralism is that they often make one single marriage modality – marriages between brothers' children – into an arithmetic artifact, or *curiosum ethnographicum*, while neglecting the vast majority of marriages based on other modalities that are no less complimentary. In addition, they rely on representations of proximity (*qarāba*), of which the classificatory definition is merely a reflection. This selectiveness detracts from the structuring potential of permutation, which admittedly is rarely explicitly

15. Compare Figures 1 and 9 above with Diagram 7 in Conte (2011, 63).

stated in local discourses. Local genealogists tend to emphasize, sometimes strongly, the depth of patrilineal pedigrees (*ansāb*) and the strength of the “agnatic solidarities” (*‘asabiyyāt*) they are supposed to represent, and many ethnologists and historians have followed suit. If we follow this approach and single out one form of “Arab marriage” and neglect marriages by permutation between agnates and non-agnates, then it becomes impossible to understand from a diachronic perspective the system in which these two unions operate with regard to the recursive genesis of social proximity.

Some ethnographic findings need to be reconsidered. *Badal* imposes multiple constraints on matchmakers and spouses on the one hand, and on couples (and wives in particular), on the other. For instance, when a female who has been “exchanged” is infertile or fails to produce male offspring, this weakens the position of her counterpart. At the same time, *badal* is a way of enabling or forcing marriages between single men and women whose union would help to strengthen the kinship units of various configurations or create alliances with outsiders. Most authors point out that poor treatment of one wife negatively affects the other and that the failure of one of the two marriages causes the other to fail also. Thus *badal* has a poor reputation as it does not sit well with *sharī‘a*, yet people often adopt this formula, which can create immediate reciprocity in statutory parity.

In his study on a group of hamlets around Dayr al-Ghassūn, an area close to Tulkarem in the occupied West Bank, Joseph Ginat (1982) notes that fathers sometimes pressure sons to accept a *badal* in order to guarantee marriages for their sisters. For these girls, this would

represent a “last chance marriage”: “[O]nly when there is no possibility of a daughter being married off will a son be offered as a partner for another girl” (Ginat 1982, 100).

Inversely, the failure to negotiate a *badal* can lead to choosing between a marriage between patrilineal parallel cousins or celibacy, which weakens both *nasab* and status (Ginat 1982, 101-4, 107). Such “marriages of necessity” generally occur whenever a secret sexual relationship between cousins becomes known or visible due to pregnancy. These marriages are ways for families to preserve their honor. Joseph Ginat calls these “FBI marriages contracted under compulsion rather than due to ideological preference” (Ginat 1982, 104). In general, however, the statistical data in the anthropological literature on the frequency of marriages defined in formal genealogical terms does not account for such instances. The author thus concludes that, “[T]he father’s wish to provide for his daughter by marrying her off . . . often seems stronger than the desire for political benefits, social advancement, or economic status” (Ginat 1982, 104).

This interpretation applies to marriages between all types of cousins as well as to *badal* marriages but also to arrangements combining both of these modalities. This casts doubt on the axiom of general male dominance. While girls are indeed manipulated for their own good, or so it is said, the same goes for the boys – whether relatives or not – who marry them due to paternal, fraternal, or avuncular pressure, or even due to the urging of a mother (or an aunt) desperate to marry off a daughter. This is beautifully illustrated in the 2005 Palestinian-Israeli film by Ibtisām Salh Mara‘na entitled “Badal.”¹⁶ Therefore,

intergenerational hierarchy takes precedence over the asymmetry of the sexes.

Of course, these pressures cause jealousy or resentment among *badīlāt*, or “those who are exchanged,” as well as resistance from young people who are now more mobile and wish to free themselves from the burden of what they see as excessive and constrictive proximity. The following statement by ʿAlī, who has been called upon to marry the daughter of his paternal uncle through a *badal* arrangement complicated by the extramarital pregnancy of another cousin, expresses this resistance:

I grew up together with Jamīla; we have known each other as long as I can remember. I wanted a wife from outside the village, not one like a sister to me. Our fathers are brothers, our mothers are sisters, and our fathers and mothers are cousins. (Ginat 1982, 107-8)

Due to combined pressure from relatives, the individual “right” of ʿAlī to the daughter of the father’s brother is a constraint both in terms of the choice of bride as well as in terms of the multiple obligations that accompany their marriage. While these accounts are contemporary, they denote a longstanding ambivalence between desired and necessary proximity and deleterious proximity. One saying attributed to the Prophet goes as follows:

lā tankihū l-qarībata l-qarībata fa-inna al-walada yukhlaqu dāwiyyan
(Do not marry kin to kin for their children will be sickly.) (Ibn Manzūr, quoted by van Gelder, 2005, 13).

Hardly any poets praised arrangements by permutation, even in pre-Islamic times:

I am no runt (*dawīyy*) whose bones are shaky, born from a line of Khālid after Khālid,
Whose mothers were nearer to his fathers, in one line of kinship, than a single span,
Sons of sisters whom they made to mate with brothers, in a mutual marriage arrangement (*mushāghara*), so that the whole tribe is father to itself.¹⁷

According to this poet, the combination of consanguinity and *badal* results in debilitating agnatic parthenogenesis. However, one female interviewed by Granqvist insisted that “exchange is really a head for a head and tuft of hair for tuft of hair!”¹⁸

Badal versus Berdel

Ginat’s observations confirm the ambiguities in combinations of kinship proximity (*qarāba*) and *badal* in the marriage dynamic of the Arab world. Among the Bedouins of Cyrenaica, the latter is often combined with the former in order to: i) tighten backup via cross-marriages between distant agnates or lines that have been distended over the course of generations (Peters 1990, 219); ii) concentrate the transmission of inheritance within the bourgeoisie of Tunis (Ferchiou 1992, 149-50); or iii) strengthen power strategies, as Amatzia Baram illustrated in the case of the “house of Saddām” (2000, 318). However, when *badal*

16. See: <http://tv.muxlim.com/video/cgcY4scHPoV/Badal-Marriage>

17. A poet of the Asad quoted and translated by van Gelder (2005, 15).

18. Rās ib rās, shūshe ib shūshe, hāda badāyē! Quoted in Granqvist (1931-1935 I, 11; transliteration by the author.

involves non-relatives, it tends to restrict the range of possible marriages between agnates in the next generation. Thus *badal* is rarely available to the children born of exchanges and the children they will have since as bilateral cross-cousins, unlike children born of brothers, they will always be linked more closely via a female, who has little social value (Conte 2000, 287). In the Turkish world, however, this very characteristic merges with a mode of (re)-creation of social proximity, which implies fewer cousins, namely agnatic ones, and prioritizes marriages contracted on the basis of geographic proximity (Iclan 1994, 289-92). At least in rural areas, the strength of this relational mode is thought to be comparable to the kinship proximity mode (Delaney 1984, 232). As Ilcan writes,

Many villagers point out that marriages between relatives and between neighbors offer comparable benefits. In effect, symbolically speaking, neighbors are considered to be close or distant relatives. (Ilcan 1994, 289)

These remarks align with Meeker's (1976) insightful work entitled "*Meaning and Society in the Near East: Examples from the Black Sea Turks and the Levantine Arabs.*" This text will now serve as the basis for comparing two interpretations of proximity: *akrabalık* and *qarāba*. This comparison will help to elucidate the relationships between reciprocity and honor that underpin the structural and contingent variability of marriage by permutation. This dynamic is documented in literature from Anatolia to Southern Arabia and from Mauritania to Punjab.¹⁹

In Turkish, two terms exist for *badal*: *berdel*, which comes directly from Arabic, and

değiş tokuş, which means "to give one thing for another" or "to exchange" (Ilcan 1994, 281). The latter is semantically similar to the reflexive form of the Arabic word "*tabādul*."

Turkish has one specific word to designate marriages between two brothers and two sisters, namely *kardesler*, which means "siblings" (without sexual distinction) and etymologically "those who shared the stomach" (Ilcan 1994, 287). Little ethnographic data exist on these types of marriages in Turkey. However, in 1990, filmmaker Atif Yılmaz addressed this topic in his film "*Berdel*," and the social and journalistic debate on the topic is livelier today than ever. Is it simply a "patriarchal remnant," inseparable from other forms of violence against women, a "Kurdish matter,"²⁰ an archaic control mechanism giving way to "modernization," or a punishable act since, according to Article 230-(1) of the Turkish Penal Code, this kind of marriage is illegal? Or is it a perfectly respectable system of social unity that creates equality among men but also benefits women (Ersen 2002; Das 2010)? Or could it be all of the above, depending on regional, local, and family contexts?

To make better sense of this complex cluster of factors, we will examine the hypothetical case of a combination between consanguinity and permutation that is both structural and processual: *akrabalık*, and *berdel*. This is no easy task. Indeed, assessing the frequency of *berdel*

19. See: Antoun (1980), Barth (1961), Bonte (2008), Stewart (1991), Tapper (1981, 1991), and Yalçın-Heckmann (1991).

20. See "Kurdish Villagers Reject Marriage Traditions." Accessed from: <http://www.youtube.com/watch?v=guuDC-QqM0>

is nearly impossible since these agreements are neither written nor set down in public records. Although *berdel* is practiced, it is not advertised, and it can contain various reciprocities that are not obvious. Given the lack of data, we must approach this hypothetical case from the angle of marriages between relatives, which have been more extensively studied in Turkey than marriage by permutation.

According to the synthetic study by Alper and his colleagues (2004) covering the period from 1969 to 1999, rates of consanguinity – or marriages between first and second cousins – range from 12 to 47%, depending on the region. The lowest rates were found in Eastern Anatolia and Istanbul (11.7-16%), mid-range rates in Central Anatolia and the eastern shore of the Black Sea (20-32%), and the highest on the southern Mediterranean coast and the heavily Kurdish southeastern region (37-47%) (Alper et al. 2004, 132). On the national level, rates of consanguinity dropped by 8% between 1969 and 1983 but have since leveled out. However, a resurgence of marriages between relatives has been observed in the rural south (Alper et al. 2004, 134-5). Nonetheless, the fact remains that the vast majority of marriages in the country are non-consanguineous.

The exogamy attributed to Turkish societies should not detract from the sociological complementarity in villages or urban neighborhoods of marriages between relatives, which is difficult to quantify, and the very common marriages between non-consanguineous people related by proximity, *berdel*, or *kerdeslar*. All these marriage modalities are woven together to constitute the wide array of marriages arranged by older family members due to a persistent hierarchy that exacerbates

asymmetries in terms of gender or the birth order of siblings. This social control is legitimated by an old honor code (*namus*) (Meeker 1976; Delaney 1991), which, in Sunni and some Alevi areas, mirrors the notion of “virtue,” or *şeriat*. Resisting modernization and often challenging State secularism, many older relatives still see parental determination of marriage partners as a natural right and a moral duty. However, this view is not shared by young people, who wish to choose their marriage partners themselves. The resulting intergenerational conflict has renewed the practice of bride kidnapping (*kız kaçırma*) in cases where, of course, the event is orchestrated with the consent of the girl to force relatives to accept a “marriage of love” and not a disguised rape (Kudat 1974; Guezengar 2008).

Let us return to *berdel*. Unfortunately, the available data is insufficient to allow us to draw conclusions. According to Ilkcaracan, 5% of marriages in Alevi areas are of this type (2001). In a study of a Sunni community in Of, on the Black Sea, Michael Meeker only identified two marriages by *berdel* out of 194 (1976, 411). In her ethnographic study in an area of north-western Turkey, Ilcan found that 30% of marriages were consanguineous but that only 5 of 148 were by *berdel* (1994, 281). However, that figure does not take into account marriages between *kardesler*. The situation is different in the southeast. A report by the World Bank on the Harran Plain in the province of Şanlıurfa on the Syrian border found that *berdel* and marriages contracted without compensating (*başlık*) the bride’s father accounted for 17% of all marriages (Kudat, Peabody, and Keyder 2000, 272). In Kurdish areas, *pê-gu-hurk* (which is similar to *berdel*) predominates

and, as in Arab areas, correlates with a high frequency of marriages between agnates (Yalçın-Heckmann 1991).

The frequency of *berdel* is thus lower in northern and western areas of Turkey. Despite this practice being criticized strongly in the national media, films, and NGO discourses, older generations continue to endorse it.²¹ Moreover, while Hanbalite ulamas claim to be opposed to *berdel*, their stance is countered by the complicity of local imams who, today as in the past, sanction religious marriages in violation of the Swiss Civil Code adopted by Turkey in 1926 and reformed in 2001. In fact, regardless of what legal experts who support the Kemalist order may say, this code's secular nature still bothers those who observe *şariat* as well as traditional "customs" (*tore*) (Kieser and Meier 2008). In this context of interweaving objections, young generations' resistance to *berdel* illustrates the growing rejection of arranged marriage in general and thus of the principle of parental – though not only paternal – authority on which it is based. In principle, their cause should have benefitted from the adoption of the new Civil Code intended to bolster Turkey's ever-doubtful chances of European Union membership. However, the incidents described in an article in *Sabah* on July 2, 2010 illustrate the ambivalence of the generational conflict about marriage:

The incident occurred in 2003 in Bismil in Diyarbakir Province in southeastern Anatolia, which is predominantly Kurdish. Sixteen-year-old Güneş E. was working as a day laborer in a cotton field owned by the family of 26 year-old Çelebi Y. Çelebi fell in love with Güneş. The families agreed on a dowry of 6,000 Turkish liras (roughly €3,000), which the groom's

family paid to the bride's family, and the couple was married in a religious wedding without the union being recorded in public records. Four months later, Güneş E's family asked for a *berdel* marriage between Çelebi's sister and Güneş' brother. The boy's family rejected the request on the grounds that it was not a "civilized" practice (*kültürümüzde yok*).²²

On hearing this, Güneş' family accused Çelebi of abducting and raping (*ırza geçme ve zorla alıkoymak*) their daughter. To make matters worse, they claimed that Çelebi forced Güneş to keep silent about the kidnapping. Moreover, some of Çelebi's family members were accused of kidnapping and illegal confinement (*kız kaçırma ve alıkoyma*). All were arrested.

The case lasted seven years. As evidence, Çelebi presented Güneş's personal diary, in which she wrote about her love for him, as well as messages saved on her mobile phone. In spite of this proof of consent, the Court found Çelebi guilty of rape, claiming that he resorted to a traditional marriage to conceal his crime. He was sentenced to 18 years, 10 months, and 20 days in prison and his family members to 11 years.²³

21. See: http://www.metacafe.com/watch/1071050/berdel_sister_swapping_in_turkey. See also: <http://en.firatnews.com/index.php?rupel=article&nuceID=191>

22. This source did not specify the ethnicity of the parties involved.

23. See: http://www.sabah.com.tr/Yasam/2010/07/02/berdele_karsi_cikti_18_yil_ceza_yedi. English version available at: <http://www.hurriyetdailynews.com/n.php?n=0702082417167-2010-07-02>. See also: <http://www.hurriyetdailynews.com/n.php?n=neighborhood-pressure-against-outdated-traditions-2010-03-05>

In this instance, *berdel* and *kız kaçırma* are two faces of the same coin. Despite being married since 2003 under *şeriat* law and being an “honorable” husband, the defendant was found guilty of raping and kidnapping a minor under the 2001 Civil Code regardless of her consent.²⁴ Article 124 stipulates that the legal age of marriage is 18 (versus 17 for boys and 15 for girls under the 1926 Code). However, in eastern parts of Turkey, half of women still get married before turning 18 (Ertem and Koçturk 2008). In a region where payment of the *başlık* can, depending on each case, legitimate a kidnapping after the fact, the real “crime” of Çelebi and his family was their refusal of a *berdel*, which the plaintiffs felt sullied their honor (*şeref*). By refusing the reciprocity the girl’s family demanded, the boy’s family invalidated the first marriage, which was now claimed to be rape, whereas the bride’s consent was deemed null and void because she was a minor at the time of the marriage. Under the Civil Code, which recognizes neither religious marriages nor payment of the *başlık* as legitimating marriages, Çelebi and his family were found guilty. The collective guilty verdict was a standard application by preterition of article 38 of the Criminal Code (revised in 2005) intended to punish accomplices of “honor crimes” on the same grounds as criminals and which stipulates that “any person who forces another to commit a crime receives the same sentence as the one who committed it.” In addition to this unique feature of the Code, the sentence Çelebi received far exceeded the 6-month to 2-year sentence for sexual relations with a minor under article 102 and the sentence of 3 to 8 years for sexual assault of a minor under article 103. Several sentences were added to each other since Çelebi was found guilty of

aggravated rape and his family of kidnapping and illegal confinement. Therefore, the revenge of Güneş’s agnates was complete.

Although this ruling upheld the right of Güneş’s father to demand compensation for the “gift” of his daughter, it deemed her to be *non sui juris* since she was still a minor when the incident occurred. However, in all likelihood, it also preempted a “crime of honor” against the “rebellious” daughter. What Antoun (1980) calls the “accommodation of tradition” seems to bend the codified laws of the new Turkish civil and criminal codes to *töre*. At the heart of this case – which will be appealed – is a combination of the notion of honor (*Şeref*) and chastity (*îrz*), which is a component of it. By virtue of these concepts, *berdel* appears to be a legitimate right and not the expression of a desire for the egalitarian (re)creation of kinship proximity through marriage. Moreover, it brings into play the hierarchy of generation and gender and discards entirely the advantage of the main defendant’s family having a higher social status. Reading the opinions about this ruling will give a better idea of the way some judges intend to apply the reform of the civil and criminal codes.

In our view, this case study supports Meeker’s (1976) approach to accounting for the gap in meaning between *badal* and *berdel*. Indeed, it is incorrect to: i) contrast Arab endogamy with Turkish exogamy or preferences for marriages between parallel cousins with preferences for marriages between cross-cousins; or ii) to cite the frequencies of various marriage categories. To do so is to reify mere sociological

24. See: <http://www.tusev.org.tr/userfiles/image/turkey%20tr%20civil%20code%20provisions.pdf>

common everyday expressions, and is at the core of the Near Eastern customs of hospitality. . . . “[L]ove” represents a concept of “sentiment,” as we say, but this concept is interpreted as a meaning, not as a “sentiment” per se. . . . [I]t is impossible to express anything but interconnections and unity by “love,” therefore it is in this sense structureless. It is (by contrast) possible to express a structure with “significance,” because they state a definition and purpose and thereby set off those who believe one thing from those who believe another. (Meeker 1976, 385, nos. 1 and 2)

The two aspects of honor, *sharaf* and *namus*, derive from a structuring significance that differentiates between beings and communities. Love, however, encompasses everything and knows no boundaries, as illustrated by the allegory of *rahim* (literally “uterus”) from the holy prophetic traditions (*hadīth qudsī*): it is the kinship matrix, the primary link to God (and its feminine aspect?), which appeared on the day of Creation, a “fragile branch hung on the Throne,” but which “grabs God by the waist” (Ibn Hanbal [d. 241 AH/855 CE] 1948-1975 IV, 344, no. 2956) and reappears on Judgment Day. It goes beyond any genealogy and *nasab* and transcends *umma* (Conte 2000, 291-5). The breaking of the kinship bond (*qat’ al-rahim* in Arabic) is a moral transgression punishable by law (Antoun 1989, 106-26), and it affects everyone who shares a common honor. As a result, *sharaf* and *rahim*, significance and love, are “contrary and incompatible idioms” (Meeker 1976, 385), yet they are inseparable in their dialectic, which in emic terms reflects the dynamic of gender:

Maleness “signifies” and femaleness “unites.” Maleness is active and

structures, while femaleness is a formless overarching unity of “love” (Meeker 1976, 386, no. 1).

Some kinship relations contain both love and significance, such as father-son or uncle-nephew relations (Meeker 1976). The impression that relations of affinity divide as much as they bind together derives from the juxtaposition of both *sharaf* and *şeref* and thus of the significance of both (Meeker 1976, 387, no. 2), except in the case of a marriage between brothers’ children. Whereas the husband-wife relation is characterized primarily by control, the brother-sister relation, a bastion of trust and safety, is more closely related to love (Meeker 1976, 388). This being the case, Turkish and Arabic representations diverge in terms of the agnatic localization of the duty to control:

Among the Turks, a disgrace of a married woman or a slander touches directly the *sharaf* of those who “control.” The husband, his brother, his father, and by extension his agnates and clan must “respond” because their *sharaf* is implicated. Among the Arabs, a disgrace of a woman or a slander touches directly the *sharaf* of those who “love.” The woman’s brothers, her father, and by extension their agnates and clan must “respond.” (Meeker 1976, 388).

In the Turkish case, marriage bestows on the groom a duty to protect the *şeref* of his bride, which until then had been protected by her father and brothers. While her father and brothers continue to love their sister, they are no longer responsible for her *namus* and cannot be held accountable for breaches of it. In the Arab Levant, however, “marriage removes the responsibility of the father or the brother . . . to control the sexuality of his daughter or sister

but does not separate her from their *sharaf* (Meeker 1976, 390-1). Therefore, the agnates of a married woman depend on their sons and brothers-in-law to protect their *sharaf*, which is shared on the same grounds as their *nasab*, by controlling the *‘ard* of their daughter or sister. Inversely, the husband depends on his wife’s brothers to guard against any breach of his wife’s *‘ard* in order to preserve her *sharaf*. If this mutuality is not upheld, then divorce, a break in the brother-sister relation, or both can occur (Meeker 1976, 391-2). This is precisely the meaning of the expression *qat‘ al-rahim*, which refers to the interdependency of love and significance as well as to the fragility of this link. In addition, it refers to the uniquely precarious nature of the mutuality that exists between two spouses linked via *badal*, whether or not they are relatives. If one couple divorces, the other often follows suit (Kressel and Abu Rabi’a 2002).

In Of and the Arab Levant, the maternal uncle is linked to his nephews through the love that binds them to their sister or mother. However, the *şeref* of the uncle is not tied to that of his nephews, even in cases where they claim common origins in the *oba* or the village. Each is responsible for his own honor.

In contrast to the Arab case, Turks solve no pressing problem with respect to their *sharaf* by marrying their children to the children of men who are close to them because the cultural structuring of *sharaf* and *namus* does not pose a problem. Indeed, there are strong reasons for marrying daughters to men with whom one has only weak communal love as a man’s control of his wife is restricted in cases where his father-in-law is also his father’s brother (Meeker 1976, 392-3).

It should now be clearer why a high correlation between consanguinity and *badal* exists in the Arab Levant whereas the frequency of marriages between agnatic cousins barely surpasses 5% in non-Kurdish areas of Turkey where *berdel* is infrequently practiced. It should also now be clearer why the first instance emphasizes the statutory parity of spouses (*kafā’a* in Arabic) that marriages between brothers’ children are most likely to uphold and rejects feminine hypergamy, which is not entirely true of the second instance. These differences cannot be attributed to an intrinsic virtue of a *badal-berdel* artifact or of an exchange as safeguarding against incest. Rather, they stem from different constructions of kinship proximity in terms of the sharing and localization of honor, while they also relate to analogous constructions of the gender dynamics of kinship, marriage, and the hierarchy of generations. As Meeker points out, the theory of exchange is based on the principle that marriage (exchange) unites that which filiation (hostility) divides (1976, 401). However, in the Middle-East and other areas, “significance” divides what “love” unites (Meeker 1976, 401).

Whereas structuralist theory considers that the necessary break in brother-sister unity – a founding element of society – is put right via the exchange that results in marriage, Turkish and Arab men place primacy on a more generalized unity (*qarāba + rahim*) that includes everyone, even non-relatives. Yet, this unity differs depending on distinct contextual modalities for preserving the static and diachronic aspects of the honor of the man and his agnates. Mutuality is impossible without this differentiation. Thus,

The key is not the decision to renounce the sister but the necessity of hostilities with one's brother. A refusal to oppose one's brother is a refusal to recognize any "significance" and to be satisfied with the undifferentiated unity of "love." (Meeker 1976, 401)

This view is tantamount to recognizing that one is without honor and of a lower status. Is that not the message Cain sent by refusing the Adamic *badal* and upholding brotherly love? He opted to kill his sibling out of love or passion for a twin sister he refused to give up, thereby asserting his right as the eldest and to incest. Without this primal transgression, the arranged marriages Adam proposed would have made all the offspring of the first born human male cross-cousins, who, in order to procreate, would have had to uphold the marriage theory strictly. In addition, this would have made the patrilinear transmission of the prophecy about the Flood in Genesis impossible, which constitutes a symbolic foundation of gender asymmetry in the three monotheistic theologies (Conte 2011). In this configuration, *rahim* would have been reduced to sheltering all beings under the cloak of compassion and to ordering all relatives to love each other. However, it could not dictate the necessary difference of pedigrees (*ansāb*, sing. *nasab*) that structures masculine honor over time and retrospectively legitimates the stories of our origins that define political relationships. Nonetheless, and this is the negative revenge of *rahim*, the break of the kinship bond (*qat' al-rahim*) such as "fornication" (*zinā*) is an offense that transcends gender difference and cancels out any relational legitimacy, particularly patrilinear legitimacy. Given the structural instability of these parables, the transgenerational continuity

of *nasab* in the Levant, Turkey, and elsewhere relies heavily on the nature of the relation between siblings, which is the keystone of the kinship system and its connection with gender asymmetry and the hierarchy of generations. Filiation expresses.

Proximity, Parity, and Reciprocal Threat

The permutation of spouses, particularly of siblings, strengthens the parity of both parties by introducing mutuality of rights and duties. Such agreements create a fragile balance of power since a breach by either spouse results in negative reciprocity. In a large-scale study of bride exchange in Pakistan using an innovative methodological approach, economists Hanan Jacoby and Ghazal Mansuri point out that all marriages are examples of imperfect contracts, since their terms can neither be specified exhaustively beforehand nor fully executed afterward (2009, 2). They found that *watta satta* marriages (literally "give-take" in Urdu) account for more than one-third of marriages in rural areas of Pakistan. In 72% of cases, they involve two brother-sister pairs, and in 94% of cases, at least one brother-sister pair. In this region, three of every four marriages are between first or second cousins. To a certain extent, *watta satta* attenuates the uncertainties and unforeseeable elements inherent in marriage since it leaves "the shadow of a mutual threat" hanging over couples (Jacoby and Mansuri 2009, 2). One woman in Badeen (in Sindh Province) spoke freely about this dissuasive quality:

Watta satta means you give your daughter away and get another one in return. It also means that if you make

our daughter suffer, we'll do the same to yours. (Jacoby and Mansuri 2009, 1).

In this context, sibling exchange, or permutation, is a mechanism of prevention, mediation, and, if necessary, retribution. Despite the fact that women are always the ones who get beaten, *watta satta* is beneficial to them since it encourages both sets of parents-in-law to control their respective sons (Jacoby and Mansuri 2009, 5, 29-30). Generally speaking, reciprocal dissuasion attenuates domestic violence in marriages not based on permutation (Jacoby and Mansuri 2009, 38 *passim*).

In Pakistan and elsewhere, any breach in the principle of equality in either of the two couples cancels out the initial mutuality since it damages the honor of all parties, spouses and relatives alike. This tension can reignite or strengthen statutory asymmetries that may have existed between partners before the *badal* was contracted. Of course, *badal* accommodates different conceptions of *nasab* and of the localization of honor. The practice of marriages between relatives is shared by highly diverse societies despite the fact that they may define genealogical proximity in different ways. In his comparison of Arab and Turkish and Circassian and Somali practices, Meeker claims that in all cases:

What the brother cannot “control” but only “love” is entrusted to another man, who, in turn, gives away what he can only “love,” but not “control.” (Meeker 1976, 411)

However, this asymmetrical mutuality rooted in the brother-sister relation can only be understood by considering the more general overlap of affinity and sibling relations prevalent through generations of relatives and

spouses with intergenerational relations of parental and avuncular nature.

In a paper on the brother-sister relation and the reproduction of patriarchy in Lebanon, Joseph (1999) criticizes Meeker for not including the link between love and responsibility in his analysis of honor. As Joseph rightly points out,

The brother's responsibility of response invests him in controlling the sister's behavior so that he will not have to respond. Responsibility translates into power; love and power become intertwined. (Joseph 1999, 118)

From the start, Joseph (1999, 119) presents the brother-sister relation as an extension of the father-son relation, thereby attributing a causal value to gender asymmetry in the production of hierarchy. However, she does not reduce the brother-sister relation to an instrument of an “honor-shame complex,” which many researchers (Peristiany 1965) see as a constituent element of a specific “Mediterranean family culture” (Joseph 1999, 119):

It was the interlinking of connectivity, love, and power throughout that gave the brother-sister relationship its centrality in the reproduction of Arab patriarchy. (Joseph 1999, 120)

Of course, the term “patriarchy” refers to the debatable axiom of universal male dominance, which is liable to bias our perception of kinship dynamics and bind it to changing and variable gender relations. However, Joseph rightly argues that gender asymmetry combined with the principle of seniority (between generations, but also in sibling sets) determines kinship systems and makes them conducive to

the legitimation and institutionalization of all types of power relations (Joseph 1999, 121).

If applied to the study of the links between permutation, sibblingship, and status, this interpretation leads us to draw a line between two poles: a “parity” pole, represented by the permutation of two brothers and two sisters descended from siblings with the same father and mother, and a “hierarchy” pole, referring to cases where an agnatic unit of higher status concludes a *badal* with non-relatives of lower status.²⁵ Between these two poles are marriages between pairs of non-related sibling sets (sister-sister, brother-sister, or brother-brother) as well as “ordinary” permutations agreed on by two men (or by their respective wives) who share no kinship proximity.²⁶

Along similar lines, based on information she obtained from the Pashtun Durrani of Afghanistan, Tapper distinguishes between three types of symmetrical *badal* marriages (*makhi* or *alishi* in Pashto), meaning marriages that involve exchanging “a woman for a woman.” They include: i) a neutral exchange that is “convenient” for both parties; ii) exchanges of “recognition” whereby an outsider is accepted among the Durrani; and iii) exchanges of “reconciliation,” which settle a conflict (*badi* in Pashto). Bonte (2008, 91) claims marriages of the third type “end feuds since they mean the acknowledgement by both parties that each has suffered the same number of victims in cases where the *badal* ends a cycle of murders,” thereby creating a mutuality that no non-reciprocal marriage could give rise to, entailing either the payment of material compensation (*kotare*) or the “free” gift of a woman (*mosamma*), which negates the equality of parties or the unilateral handover of a

woman to the parents of a victim killed in a blood feud (*muft* or *badi*) (Tapper 1991, 143).

Except for the three asymmetrical modalities listed above, all those mentioned here create relative statutory parity between partners and strengthen or create proximity (*qarāba*). In this regard, the fact that children born of these marriages are cross-cousins in societies with an agnatic preference matters little. However, when a statutory gap exists between partners, *badal* is to a certain extent a way around the obligation of *kafā'a* since it instills a “conditional equality” via the *badal* contract that does not have to be present before it is concluded. This area of uncertainty is both the strength and weakness of marriage by permutation. *Badal* marriages can also be “extraordinary” in the Bourdieusian sense, and create honor. Inversely, when parity is not achieved due to a refusal of reciprocity, this is felt to be a serious breach of honor, as illustrated by the case of Çelebi and Güneş. Here, the party with lower status considers itself wronged since the asymmetrical or even the hypergamic giving away of a young girl with lower social status is not accompanied by the hypogamic marriage of her “sister-in-law” (here, Güneş’s sister) needed to establish parity between the two parties.

Far from being a mere “technical form of the institution called ‘marriage by exchange,’” (Lévi-Strauss 1967, 166), the permutation of sibling sets, even if not followed by marriages between cross-cousins in the next generation, strengthens the overall dynamic of marriage in hierarchal societies with “complex kinship

25. The first instance corresponds to Cases 2 and 3 of Granqvist, the second to Cases 4 and 5.

26. Corresponding to Case 2 of Granqvist.

systems.” Moreover, it can close status gaps. For logical and demographic reasons, “sister exchange” alone can no more constitute a sustainable system than universal “Arab marriage” (Muller 1980; Copet-Rougier 1994). To think otherwise is merely academic speculation which, while it may be heuristic, is nonetheless fanciful.

However, combining marriages by permutation and marriages between siblings’ children – the two can overlap – gives permanence to kinship dynamics based on the expanded notion of proximity, of which consanguinity is just one aspect. Indeed, in addition to any inherited genealogical relation, permutation can combine proximity and parity between spouses and their relatives regardless of whether they share a common *nasab* via the mutualization of honor and the resulting reciprocal constraints. Partial or total rejection of this mutualization relates to a conception of proximity-parity that stems more from active propinquity than from pedigree without however excluding marriages between relatives.

In addition, in areas with castes, classes, or other social groupings, the potential scope of *badal* is fragmented by high statutory stratification, although permutation remains structurally relevant. In the case of Mauritania, Bonte (2008) evokes the non-universality of exchange in the Lévi-Straussian sense of the term (Bonte 2000). Other examples of the permutation of siblings could be cited from Sub-Saharan Africa, the Indus Valley, South India, China, or southwest Asia, as was the case in this paper. Bradburd (1984) studied the Komachi nomads from Kerman Province in central Iran, providing a rare example to the reverse. These herders promote marriages between relatives and are so concerned with

matrimonial parity that they avoid marriages between families who own flocks and shepherd families. However, this class-based hierarchy encompasses an explicit prohibition of marriages between sets of siblings, which are common elsewhere in Iran and known as *goba gav* (“cow for a cow”) (Barth 1961, 33). In this context, all indications suggest that marriage by permutation is considered an “ordinary” marriage that, at best, “preserves honor but does not create it” (Bradburd 1984, 749). Given the fact that following negotiations about dowries, amounts are made public and reflect the relative status of both parties, it makes sense that marriages in which no *mahr* is paid are seen as lowering the prestige of all involved (Bradburd 1984, 751, no. 4).

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The conceptual pairing of filiation-marriage alone is insufficient to account for the complementarities between the different forms of parity and proximity and, conversely, of hierarchy and distance (Lévi-Strauss 1983, 1988). This pairing depicts the relation of siblings as an effect of filiation and neglects its performative overlaps with marriage. As Tabarī (n.d.) already pointed out in the Abbassid era, the eldest son’s refusal to abide by the request from the father of humanity to exchange twin sisters was certainly a necessary premise, albeit one that came to exist at the price of fratricide.

In theoretical terms, this symbolic interpretation suggests that *a priori* causality should not be attributed to filiation *a posteriori* and that siblingship and marriage should not be dissociated. In this light, it seems clear that Adamic *badal* puts siblingship and not filiation at the heart of marriage, clearing

the way for other forms of permutation. In effect, *badal* is a private yet non-anecdotal practice that does not shatter the illusion of agnatic, public, and political filiation so dear to anthropologists and those from whom they

learn. Therefore, since it accommodates the hierarchy of gender and generations, *badal* constitutes the kinship potential of siblingship while upholding the post-Flood prohibition of brother-sister marriage.

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Abstract

This paper proposes a systemic analysis of marriage by permutation of spouses, particularly of siblings (*badal* in Arabic). It is based on textual sources that address this concept, ranging from the Dead Sea Scrolls to the classical Arabic "Stories of the Prophets" (*qisas al-anbiyā'*), and performs a comparative ethnographic analysis of Palestine and Turkey. This dual approach suggests that *a priori* causality should not be ascribed to descent *a posteriori* and that siblingship and affinity should not be dissociated when studying gendered kinship dynamics. Indeed, *badal* places siblingship at the heart of matrimonial alliances while leaving the illusion of agnatism intact. Accommodating gender and generational hierarchy, it establishes siblingship as a source of filiation while at the same time upholding the prohibition of the Adamic and Antediluvian practice of brother-sister marriage.

Keywords

marriage by permutation, Near East, "exchange", siblingship, gendered dynamics of kinship

Résumé

Cet article propose une analyse en termes systémiques du mariage par permutation de partenaires, notamment de germains, mariage dit *badal* en arabe. Partant de l'examen de la notion d'« échange », il s'appuie, d'une part, sur une lignée de sources textuelles allant de manuscrits de la Mer Morte aux « vies des Prophètes » arabes classiques (*qisas al-anbiyā'*) et s'appuie, d'autre part, sur une analyse ethnographique comparative de la Palestine et de la Turquie. Cette approche duelle suggère, au regard des dynamiques sexuées de la parenté, de ne pas attribuer *a posteriori* à la filiation une causalité *a priori*, et de ne pas dissocier germanité et alliance. Car le *badal* met la germanité au cœur de l'alliance tout en laissant intacte l'illusion de la filiation agnatique. En accommodant la hiérarchie de genre et de génération, il constitue le potentiel filiatif de la germanité tout en garantissant l'interdiction du mariage frère-sœur posée autrefois dans les traditions adamiques antédiluviennes.

Mots-clés

mariage par permutation, Proche-Orient, « échange », germanité, dynamiques sexuées de la parenté